











*Superseded* *1916*

CHARTER  
AND  
SPECIAL LAWS  
GOVERNING THE  
CITY OF PROVIDENCE.



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## P R E F A C E .

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Under authority of the City Council, by Resolution approved February 28, 1899, His Honor the Mayor appointed the undersigned to collect, arrange and revise the Ordinances of the City Council and the Rules of the Board of Aldermen, and also to collect and arrange such of the Statutes of the State of Rhode Island as relate specially to the City of Providence, and to report in print.

The Ordinances and the Rules have been published.

The City Charter and Statutes are now published in a separate volume under the authority of the following Resolution of the City Council, approved December 22, 1899; and in accordance with the recommendations referred to therein:

“RESOLVED, That the Commissioner appointed under Resolution No. 75, series of 1899, be and he is hereby authorized and directed, in carrying out the provisions of said Resolution No. 75, to publish and bind the Special State Laws relating to the City, and the City Ordinances, and Rules of the Board of Aldermen, in accordance with the recommendations contained in his report submitted to the City Council, November 20, 1899.”

In collecting and arranging the Special Statutes in the present volume, it is the purpose of the Commissioner and his associate, Mr. Daniel F. Hayden, to submit, for the use of the City Council and of the department officers, a condensed manual of those statutes under authority of which the government of the City of Providence, as distinguished from other municipalities, is administered. To this end, those statutes which lie within the legislation common to all cities and

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## PREFACE.

towns of the State, and which are published in successive revisions of the public laws, are excluded. Likewise are excluded those statutes which, though special, confer no powers, or no continuing powers: such as statutes merely establishing harbor lines, statutes annexing territory, and statutes authorizing an increase of the city debt. But statutes of this character are printed in full in all cases where powers remain to be exercised.

In reprinting the text of the statutes contained in this volume, every amending statute has been, so far as possible, incorporated in the amended statute, and where the effect of an amendment has been merely to eliminate certain words, the elimination is indicated by asterisks; and where, in a few instances, it has been expedient to change the phraseology, but not the meaning, of the amendment, the substituted words are inclosed in brackets. This method facilitates the reading of the law, while the marginal references carefully note the authority for the changes in the text.

Following the Index will be found a list of statutes relating to the City of Providence, which have been passed during the legislative period of one hundred and four years covered by this volume. This list contains memoranda of all the special statutes which are contained or referred to in the last publication of the statutes relating to the City, in January, 1887, and of all the special statutes passed by the General Assembly since that publication.

This volume, then, contains the text of all special statutes which confer operative powers, and a memorandum of every statute that is a factor in determining the present form of all the operative statutes which relate specially to the City of Providence.

ISAAC H. SOUTHWICK, JR.,  
*Commissioner.*

PROVIDENCE, JULY 1, 1901.



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# THE CITY CHARTER

OF

## PROVIDENCE

As Amended and Consolidated by Acts of the General Assembly from  
1866 to 1900, inclusive.

AN ACT TO REVISE, CONSOLIDATE AND AMEND THE  
ACT ENTITLED "AN ACT TO INCORPORATE THE CITY  
OF PROVIDENCE," AND THE SEVERAL ACTS IN AD-  
DITION THERETO AND IN AMENDMENT THEREOF.

**Chapter 598**

of March 8, 1866.

### SECTION

1. Incorporation of the inhabitants continued; city council to have powers of the inhabitants and may inflict penalties.
2. Administration of City Government; city council defined.
3. Organization of City Government; meetings in convention; engagement in office.
4. Board of Aldermen; President.
5. City clerk; recorder of deeds and his deputy; assessors of taxes; city treasurer and his deputies; superintendent of public buildings.
6. Common Council; president and clerk; procedure and quorum in either branch.
7. Powers and duties of the Mayor: special meetings of the city council or of either branch; veto power

### SECTION

- and messages of the mayor; mayor may discontinue criminal actions.
8. Powers of Mayor and Aldermen.
9. Powers of City Council; school taxes and appropriations; election, duties, salaries and tenure of office of city officers; legislative powers how exercised; financial management; ordinances; city law department.
10. Judicial powers.
11. Municipal Court.
12. Police Court.
13. Municipal elections by the people.
14. Election in 1866. *Expired.*
15. Management of the Dexter Donation property.
16. Ordinances, rules and regulations continued.
17. Repeal of previous statutes.
18. Charter to take effect upon passage.

*It is enacted by the General Assembly as follows:*

### SECTION I.

CLAUSE 1. The inhabitants of the city of Providence shall continue to be a body politic and corporate by the

Incorporation continued.

## Powers.

name of the CITY OF PROVIDENCE; and as such shall continue to have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and shall be subject to all the duties and obligations, now incumbent on or appertaining to said city as a municipal corporation, or by virtue of the laws of this state, so far as the same shall not be altered by this act or by any acts in amendment hereof. They may ordain and publish such laws, ordinances and regulations as shall be needful to the good order of the said body politic, and may inflict fines and penalties for the breach thereof, not exceeding, for any one offence, two hundred dollars, and six months' imprisonment; and they may hold courts of judicature, with the powers and jurisdictions hereinafter provided.

City council is to have powers of inhabitants or freemen.

Act of 1868, Ch. 719, Sec. 1.

The city council of said city shall have, possess and exercise all the powers vested by law in the inhabitants or freemen of said Providence, and the town council thereof, excepting such as are by law conferred upon the board of aldermen, or on some other of the officers of said city, and such as are conferred upon the freemen of said city by clause one, section fifteen, of this act.

City council may impose penalties for violation of city laws.

Act of 1868, Ch. 719, Sec. 2.

The city council of said city shall have power to punish any violation of any of the provisions of any of the ordinances, by-laws and regulations of said city by fines, penalties or imprisonment for any breach thereof, not exceeding for any one offence two hundred dollars, or by imprisonment not exceeding six months.

## SECTION II.

Administration of city government.

Mayor

Aldermen.

Common Council.

Act of 1900, Ch. 798, Sec. 6.

Other officers.

CLAUSE 1. The administration of all the fiscal, prudential and municipal affairs of said city, with the conduct and government thereof, shall be vested in one principal officer to be styled the mayor; one council of ten persons to be styled the aldermen; and one council of forty persons to be styled the common council; together with such other magistrates or officers as are hereinafter specified, or by the laws of this state or the ordinances of the said city are, or hereafter may be, authorized or prescribed.

CLAUSE 2. The mayor, aldermen, and common council, City council defined.  
in their joint capacity, shall be styled the city council.

## SECTION III.

CLAUSE 1. The mayor, aldermen, and common council, Organization of city government.  
chosen as is hereinafter provided, shall meet in convention Act of 1873, Ch. 311  
Secs. 3 and 4.  
on the first Monday of January in each year for the purpose of entering upon the duties of their respective offices for such year, and for the election of all such officers as are now by law, or by this act or any subsequent act may be, made elective by the city council. At such meeting, and at all meetings of the city council in convention, the mayor shall preside, but shall have only a casting vote. Convention.

CLAUSE 2. They shall, before entering upon the duties of their offices, be first severally sworn or affirmed to the faithful discharge of the same, and to the support of the constitution and laws of this state, and of the constitution of the United States, in the form and manner provided for by the laws of this state. The mayor shall first be duly engaged; and he shall then receive their certificates of election from the members elect to either board, who have not already presented the same, and shall administer the same oath or affirmation severally to all such as shall not have been already thus engaged. Engagement in office.  
  
Credentials.

## SECTION IV.

CLAUSE 1. The mayor and aldermen shall compose one board, and shall sit and act together as one body; at all meetings whereof the mayor shall preside, but shall have only a casting vote. Board of Aldermen.  
Act of 1866, Ch. 599.

CLAUSE 2. Said board shall annually, and immediately after its organization as a board, elect one of its number president of said board, who shall hold said appointment during the current municipal year. President, his election and his term of office.

CLAUSE 3. The president thus chosen shall, in the absence of the mayor, preside over said board, and also at the meetings of the city council in convention; and in the absence of the mayor from the city, or in case of his death or President, his powers.

disability, he shall exercise for the time being all the powers and duties of the mayor.

President pro tempore.  
Act of 1879, Ch. 744, Sec. 1.

And in the absence from the city of both the mayor and the president of the board of aldermen, or in case of the death or disability of both of said officers, the board of aldermen may elect a president pro tempore who shall perform the duties and exercise the powers of the mayor during such absence, or while the vacancy caused by such deaths or disability shall continue.

#### SECTION V.

City clerk.  
Act of 1873, Ch. 311, Sec. 4.

CLAUSE 1. The city council in convention shall elect annually, on the first Monday of January, an officer to be styled the city clerk.

General duties of city clerk.

CLAUSE 2. Said city clerk shall perform all such duties as may be prescribed by the city council, or by the board of aldermen, and, in addition thereto and to the duties prescribed by this act, he shall discharge the duties and exercise the powers by law incumbent upon or vested in town clerks, excepting such as regard matters of probate, such as pertain to the office and duties of city registrar, and such as regard the recording of conveyances and other instruments required by law to be recorded.

To be clerk of board of aldermen.

CLAUSE 3. He shall act as clerk of the board of aldermen; shall keep a journal of the acts and proceedings of said board; and shall deliver over all journals, books and papers entrusted to him, as such city clerk, to his successor in office, immediately upon his successor being chosen and qualified according to law.

To keep record of all moneys received.

CLAUSE 4. He shall keep an accurate record of all fees or moneys received by him, from whatever source, in a book to be kept for that purpose by him, which shall be at all times open for inspection by any member of the city council.

Recorder of deeds.  
Act of 1873, Ch. 311, Sec. 4.

CLAUSE 5. The city council in convention shall elect annually, on the first Monday in January, an officer to be styled the recorder of deeds, who shall perform all the duties and exercise the powers by law incumbent upon or vested in the city clerk of said city, or the town clerks of



the several towns, so far only as the same regard the recording of conveyances and other instruments required by law to be recorded, and the furnishing of certificates or copies thereof. In addition thereto, he shall perform all such other duties regarding the transfer of real and personal estate in said city as the city council may from time to time prescribe.

In case of the sickness, absence from the city of Providence, or other inability to serve of the recorder of deeds of said city, the mayor thereof may appoint some person to be styled deputy recorder of deeds in said city, who may perform the duties of said recorder of deeds during the sickness, absence or other inability of said recorder of deeds as aforesaid, unless removed from office as hereinafter provided. And the acts of said deputy in the performance of said duties shall have the same effect as if performed by said recorder of deeds. Said deputy recorder of deeds may at any time be removed from office by said mayor.

Deputy recorder of deeds.

Act of 1885, Ch. 523.

CLAUSE 6. The city council in convention shall also elect annually, on the first Monday of February, one assessor of taxes for said city, who shall hold his office for the term of three years; and to this end the said city council shall, in the month of June A. D., 1886, in convention, choose three assessors of taxes, one to serve for three years, one to serve for two years, and one to serve for one year, from the first Monday in February, A. D. 1886; and shall annually thereafter elect one assessor as hereinbefore provided. Said assessors so chosen shall constitute the board of assessors of taxes for the city of Providence.

Assessors of taxes.

Act of 1886, Ch. 585.

When the board of assessors of the city of Providence shall have completed the assessment of any tax hereafter ordered by the city council of said city, it shall be the duty of said assessors to sign and deliver a certified copy of said assessment to the city treasurer of said city, \* \* \* and said city treasurer shall proceed to collect said tax at the time and in the manner provided by law and by order of said city council.

Assessment to be delivered to the city treasurer.

Act of 1871, Ch. 922, Sec. 2.

Collection of taxes.

The city treasurer of the city of Providence shall perform all the duties and exercise all the powers which by law are imposed upon and vested in collectors of taxes.

Collector of taxes.

Act of 1871, Ch. 922, Sec. 1.

Deputies of city  
treasurer.  
Act of 1868, Ch. 735,  
Sec. 4.

Said city treasurer is hereby authorized to appoint as many deputies as may be necessary for his assistance in the due performance of the duties of his office. Each such deputy shall, before entering upon the duties of his office, be approved by the city council of said city, and shall be sworn and give bond, with sufficient sureties satisfactory to the board of aldermen of said city, for the faithful performance of the duties of his office, as such deputy; and said city treasurer shall be at all times responsible to said city for the faithful performance of their duties by each and all of his said deputies, and said treasurer may discharge any of the said deputies in his discretion.

Salaries of city treasurer and his deputies.  
Act of 1868, Ch. 735,  
Sec. 5.

The city council shall fix the salary for said city treasurer, and a salary or compensation for each of said deputies, and such salary or compensation shall be in full recompense and satisfaction for all their services.

Superintendent of  
public buildings.  
Act of 1871, Ch. 942,  
Sec. 2.

\* \* \* The superintendent of public buildings of said city of Providence shall be elected by the said city council, in convention of the two branches, in the month of January in each year. \* \* \*

#### SECTION VI.

Common Council.

CLAUSE 1. The persons chosen and qualified as members of the common council of said city shall sit and act together as a separate body, distinct from the board of aldermen; except in those cases in which the two bodies are to meet in convention.

President.

CLAUSE 2. The common council shall annually choose one of their members as president; and shall also choose a clerk, who shall be sworn to the faithful discharge of the duties of his office. He shall attend the council when in session; keep a journal of its acts, votes and proceedings; and perform such other services in his said capacity as the council may require.

Council clerk.

Yeas and nays.

CLAUSE 3. The yeas and nays of the members of either board, on any question, shall be entered on the journal of such board; if the common council, by the desire of one fifth of the members present; if the board of aldermen, by the desire of any member of said board.

CLAUSE 4. Each board may determine the rules of its proceedings; judge of the election of its own members; and in case of \* \* \* vacancy by death, resignation, absence or disability, or howsoever otherwise said vacancy may have occurred, may order new elections.

Procedure.  
Elections  
Act of 1882, Ch. 297.

CLAUSE 5. A quorum for the transaction of business shall consist in each board of a majority of the members thereof.

Quorum.

#### SECTION VII.

CLAUSE 1. The mayor of said city shall be the chief executive officer thereof, and shall be ex-officio a justice of the peace within the city; he shall be compensated for his services by a salary to be fixed by the city council, and shall receive no other compensation or emolument whatever.

Mayor.

His salary.

CLAUSE 2. It shall be his duty to be at all times vigilant and active in causing the laws to be executed and enforced; and in order to enable him more effectually to preserve the peace and good order of the city, all the powers given to sheriffs and other officers by chapter two hundred and thirteen of the Revised Statutes, "Of offences against the public peace and property," are hereby conferred upon him.

His duty to enforce the laws.

CLAUSE 3. He is also empowered to commit to prison for purposes of prosecution, and for a term not exceeding twenty-four hours, any dissolute person or persons who may be detected in revelling in the streets, committing any mischief, quarrelling or otherwise behaving in a disorderly manner, to the disturbance of the peaceable inhabitants of the city. He is also empowered to enter any house or building which he has reasonable cause to suspect to be inhabited by persons of ill-fame, or to which persons of dissolute, idle, or disorderly character are suspected of resorting; and if any such persons are found assembled in or about any such house or building, he shall command all such persons immediately to disperse if, in his opinion, the good order of any portion of the city require it: and in case of neglect or refusal to obey such command, he is hereby authorized to commit any person or persons so disobeying to

His police powers

prison, for purposes of prosecution, and for a term not exceeding twenty-four hours, and if need be, he may require the aid of any sheriff, deputy sheriff, city sergeant, constable or police or other peace officer, or all of them, together with such other aid as may be necessary.

Supervision of subordinate officers.

CLAUSE 4. He shall inspect the conduct of subordinate officers, and cause all negligence, carelessness and violation of duty to be duly prosecuted and punished.

Special meetings.

CLAUSE 5. Whenever in his judgment the good of the city shall require, he may call meetings of the city council, or of either board thereof, although any of such bodies may have adjourned to a more distant day.

Communications.

CLAUSE 6. He shall, from time to time, communicate to both branches of the city council all such information, and recommend all such measures, as the business and interests of the city may in his opinion require.

Veto power.

CLAUSE 7. Every ordinance, resolution or vote, to which the concurrence of the common council and the board of aldermen may be necessary, except on a question of adjournment, shall be presented to the mayor. If he approve, he shall sign it; but if not, he shall return it to the board in which it originated, with his objections; and if it shall then pass such board by a vote of three fifths of all the persons elected thereto, it shall be sent, together with such objections, to the other board; and if approved by a similar majority of that board, it shall become a law. If any bill shall not be returned by the mayor before the end of the meeting holden next after the lapse of ten days subsequent to the presentation of the bill to him, the same shall be a law in like manner as if he had signed it.

Lapse of time.

Act of 1879, Ch. 744,  
Sec. 2.

Powers of mayor under the house of correction acts.

CLAUSE 8. The mayor shall also continue to exercise all the powers now conferred upon him by an act entitled "An act to authorize the city of Providence to establish a house of correction, and for other purposes," and by all acts in addition thereto or in amendment thereof.

Discontinuance of actions.

CLAUSE 9. He shall also have power to discontinue all actions brought on behalf of the city by any officer for the violation of any of the ordinances of the city; and to order the discharge of the parties complained against, as

Discharge of defendants.



well before as after conviction in such action, whenever in his judgment it is best for the interest of the city so to do.

## SECTION VIII.

CLAUSE I. The mayor and aldermen shall exercise the executive powers of said city generally, and the administration of police; together with such other powers as now are, or hereafter may be, conferred upon them by the laws of this state or by the ordinances of the city council.

Powers of mayor and aldermen.

## SECTION IX.

CLAUSE I. The city council of said city shall have power to make laws, ordinances and regulations for the government of said city, relative to—the erection, establishment and regulation of public markets and market places, and to the trade thereof—to the streets, sidewalks and highways of said city, and to the ordering of the same to be made, and to mending, paving, cleaning and lighting the same—to hackney carriages, trucks, carts and other vehicles, and licensing and regulating the same—to nuisances within the limits of said city, their prevention and removal—to landing places, wharves, the anchoring and mooring of vessels, and to injuries and encroachments upon the river and harbor—to trees planted for use, ornament or shade—to public walks and buildings—to chimneys and the cleaning thereof—to fire-engines, to the fire department of said city, and the protection of said city from fires—to the police department, and the security of the city from riotous and disorderly persons—to taverns, cook-shops, oyster-houses, and all places of entertainment—to the assize of bread—to public shows, entertainments, exhibitions and spectacles, and the licensing or prohibition thereof—to the construction, use and regulation of theatres, and all public places of amusement—to the public health—to public burying grounds, and the burial of the dead—to foot or sidewalks in the streets, and to posts, gutters, drains, signs, steps, cellar-doors, windows and lamps therein.

City council powers.

Penalties.

CLAUSE 2. Said city council shall also have the power to inflict penalties for the breach of any of such ordinances: *provided*, that such ordinances shall not be contrary to the laws of this state, and that nothing herein contained shall be construed to exempt offenders from the punishment or penalty already prescribed by the laws of this state for any of the offences herein described. All penalties provided for by any ordinance of said city shall be forfeited to the use of said city, or to such persons and uses as shall be by such ordinances described, and they may be sued for and recovered in any court of competent jurisdiction.

Lounging on bridges.

Act of 1883, Ch. 354.

Said city council is hereby authorized and empowered to make ordinances prohibiting lounging upon any bridge within the limits of said city, and regulating the passage of vehicles and persons over, and the passage of vessels through, any drawbridge within the limits of said city; and to impose fines for the violation of such ordinances.

Sale of lost or stolen property.

Act of 1875, Ch. 502.

\* \* \* Said city council may make laws, ordinances, regulations and orders \* \* \* relative to the sale or other disposition of lost or stolen property, or property long unclaimed, which has been found, recovered or otherwise come into the possession, charge or control of the police force of said city of Providence, and to use, devote or apply the proceeds thereof to such purpose or purposes as said city council may deem proper or by ordinance determine.

Electric wires.

Act of 1880, Ch. 804.

\* \* \* Said city council may make laws, ordinances, regulations and orders relative to the putting up, laying, use and maintenance of telegraph and other wires and appurtenances thereto under and over the highways, streets, sidewalks, and buildings with the consent of the owners thereof, within the city limits, and prescribing the conditions thereof; and may also by ordinance, resolution or order, at any time and from time to time, remove any and all telegraph and other wires and the appurtenances thereto now put up, laid, used or maintained, or which may hereafter be put up, laid, used or maintained, within said city limits, which it may deem dangerous to the city or to property, whether from fire or other causes, or which in its opinion may inter-

fere with the means for notice of fire, or precautions against fire, now provided or which may hereafter be provided by said city.

CLAUSE 3. The city council shall also have power to assess and collect taxes, from time to time, in the same manner as other city taxes are assessed and collected, and to appropriate the same; to establish and maintain free schools therein, and to defray the expenses incident thereto.

School taxes and appropriations.

CLAUSE 4. The city council shall have power to appoint \* \* \* triennially from and after the first Monday in January A. D., 1890, an officer to be styled the chief of police, and to prescribe his duties and fix his compensation; and also to appoint, from time to time, all such other officers as may be needful or proper to carry into execution the powers or laws of said city, unless the appointment of such officers be prohibited by law; and also to define the duties and fix the compensation of all officers of said city.

Chief of police.  
Act of 1889, Ch. 776.

Other officers.

CLAUSE 5. The city council shall have power to provide for the compensation of all city officers, or persons acting as such, by establishing a salary, payable at stated periods, in all cases where by law such officers or persons now are or hereafter may be empowered to demand and receive fees for services rendered by them; and in every case where such salary shall be so established by the city council, it shall be in full compensation for all duties performed by such officer or person, and every such officer or person shall collect all fees legally demandable by him, shall keep an accurate record thereof, and shall pay over to the city treasurer, once in each quarter of the year, all moneys thus received by him, and shall at the same time hand in to the city treasurer a schedule of such receipts sworn to by himself.

Salaries, instead of compensation by fees.

The city council is hereby authorized to provide by ordinance, that all officers of said city receiving fees or moneys on account of the city shall make return to the city treasurer of such fees and moneys at such time as the city council shall prescribe.

Return of fees.  
Act of 1872, Ch. 978.

CLAUSES 6 and 7. The city council may by ordinance fix the salaries of city officers for the municipal year end-

Salaries, how fixed.  
Act of 1894, Ch. 1334.

ing on the first Monday of January, 1878, and the salaries so fixed shall continue in force until changed by ordinance: *provided, however*, that after said first Monday of January, 1878, the salary of no such officer shall be increased or diminished to take effect during the municipal year in which such increase or diminution is made.

Term of office.

CLAUSE 8. Unless where by this act a different term of office is provided for, all officers of the city shall be elected annually, and shall hold their respective offices during the current municipal year for which they were elected, or until their successors are chosen and duly qualified. All vacancies, unless herein otherwise directed, shall be supplied for the current municipal year.

Vacancy to be filled for unexpired term.

Removal from office.

CLAUSE 9. The city council may by a concurrent vote, two thirds of the members elected to either board voting in the affirmative, remove all officers for misconduct or incapacity.

Power to fill vacancy in what offices.

CLAUSE 10. They shall also have power to fill all vacancies, arising from any cause, in any of the municipal offices of said city, except those of mayor, aldermen and common councilmen, until the next regular election of such officers. \* \* \*

Legislative powers, how exercised.

CLAUSE 11. All the powers vested in the said city council by this act shall be exercised by concurrent vote, each board to have a negative upon the other; but all elections of officers, unless otherwise provided by law, shall be had in convention of the two boards, and whenever required by any member of the convention shall be by ballot.

Election of officers, how conducted.

Salaries of aldermen and councilmen.

CLAUSE 12. Each alderman, and each member of the common council, shall receive for his services an annual salary to be fixed by the city council, and shall receive no other emolument or compensation whatever; and no member of either board shall be eligible to any office of profit within the gift of the city council during the continuance of such membership.

Responsibility for finances and property of the city.

CLAUSE 13. The city council shall take care that moneys shall not be paid from the treasury unless granted or appropriated; they shall secure a just and proper accountability by requiring bond with sufficient penalty and sureties

Official bonds.

from all persons entrusted with the receipts, custody and disbursements of moneys; and shall fix the bonds of all officers of said city, and in such amounts as they shall see fit. They shall have the care and superintendence of the city buildings and the custody and management of all city property, with power to let or sell what may be legally let or sold, and to purchase and take in the name of the city such real and personal property as they may think useful to the public interest.

City property.

No committee or commission appointed by the city council, or either branch thereof, shall draw any money from the city treasury on account of any appropriation until the vouchers for which the expenditure is required shall be deposited with the city auditor, or such other officer as may be prescribed by ordinance.

Vouchers.

Act of 1879, Ch. 744,  
Sec. 4.

CLAUSE 14. All taxes ordered to be assessed by the city council, or by the general assembly, shall be assessed, apportioned and collected according to the laws of this state; and the city council shall, as often as once in each year, cause to be published for the information of the citizens a particular account of receipts and expenditures, and a schedule of the city property.

Taxation.

Expenditures.

CLAUSE 15. All ordinances and regulations made and passed by said city council, and all rules and regulations passed by the board of aldermen, shall be published by the city clerk in such newspapers and for such length of time as said council and said board of aldermen shall respectively direct; and in default of such direction, they shall be published by him in at least one daily newspaper of said city and during at least three days.

Ordinances to be  
published.

CLAUSE 16. No ordinance of the city council shall be repealed, altered or amended, otherwise than by ordinance in due form repealing, altering or amending the same.

Form of amendment.

Act of 1881, Ch. 856.

Said city council may by ordinance establish a law department of the city government, and regulate the same from time to time, fixing the officers of which such department shall consist, their terms of office, their respective duties and their compensation. The officers of the law department shall be elected by the city council by

Law department.

Act of 1874, Ch. 468.

concurrent vote, or appointed in such manner and at such times as the city council shall by ordinance prescribe.

## SECTION X.

Judicial powers.

CLAUSE 1. The judicial powers herein granted or continued to said city shall be exercised by two courts, one to be styled the municipal court, and the other the police court; and each of said courts may punish for contempt by fine and imprisonment.

## SECTION XI.

Municipal Court.

Act of 1896, Ch. 371,  
Sec. 1.

CLAUSE 1. The municipal court shall be the court of probate for the city of Providence; it shall be holden by one judge, to be appointed by the city council, who shall hold regular terms at such times and in such place in said city as may be appointed by ordinance of the city council, and may adjourn his court from time to time; and in case of his sickness or absence, the clerk of said court, who shall also be appointed by said city council, may adjourn the same to such time as may be necessary on that account.

Court fees.

Act of 1896, Ch. 371,  
Sec. 1.

CLAUSE 2. All fees allowed by law in said court shall be taxed and collected by the clerk thereof, and shall be paid over by him to the city treasurer, accompanied by a sworn statement thereof, in accordance with the provisions of this act or any amendment hereof.

Writs and other  
process.

Act of 1896, Ch. 371,  
Sec. 1.

CLAUSE 3. It shall be lawful for said judge so to vary the forms of all writs or other process, as to make the same consistent with the organization, style and jurisdiction of said court; and such writs and process shall have the same effect, validity and extent, and be served, obeyed, enforced and returned, in the same manner and by the same officers, as are the writs and process from the common pleas division of the supreme court and from probate courts; and they may also be served by any constables of said city who are authorized to serve civil process.

Clerk's records.

Act of 1896, Ch. 371,  
Sec. 1.

CLAUSE 4. The said judge shall cause records of the proceedings, judgments, orders and decrees of said court to be kept by the clerk thereof.



CLAUSE 5. If said judge shall be personally interested or related within the ninth degree to a party in any cause in said court, and if any party in such cause shall object to him on that account, the mayor and aldermen shall appoint one of the aldermen to constitute said court and act as municipal judge in that cause, who shall have the same power as the municipal judge. In case the clerk of said court shall be a party in any writ or process therein, such writ or process shall be signed by the judge thereof.

Procedure in case of disqualification of judge or clerk.

Act of 1896, Ch. 371, Sec. 1.

CLAUSE 6. In case of the sickness, absence from the city, or other inability to serve, of said judge, excepting only inability resulting from the causes specifically mentioned in the preceding clause, the mayor may appoint some person to be styled acting judge of the municipal court, who may perform the duties of said judge during the sickness, absence or other inability of said judge, as aforesaid, unless removed from office as hereinafter provided; and the acts of said acting judge in the performance of said duties shall have the same effect as if performed by said judge of the municipal court. Said acting judge shall receive a commission, and shall qualify thereunder as provided for other officers of said city, and may at any time be removed from office by the mayor.

Procedure in case of inability of the judge.

Act of 1896, Ch. 371, Sec. 1.

## SECTION XII.

CLAUSE 1. The police court shall consist of so many of the justices of the peace of said city, not exceeding three, as shall be annually elected by concurrent vote of the city council, or oftener in case of vacancy; and all the jurisdiction, power and authority of said court shall be vested in any one justice thereof.

Police Court.

Act of 1896, Ch. 371, Sec. 2.

CLAUSE 2. Said court shall be considered to be in session at all times, and at such place or places in said city as the said court or the justice holding the same shall appoint.

Sessions.

Act of 1896, Ch. 371, Sec. 2.

CLAUSE 3. Said court shall have original jurisdiction of all offences against the act entitled "An act to authorize the City of Providence to establish a house of correction, and for other purposes," and all acts in amendment thereof, and of all offences against the ordinances, by-laws, rules

Jurisdiction.

Act of 1896, Ch. 371, Sec. 2.

and regulations of the freemen of the town of Providence, of the town council of said town, of the city council of said city, and of the board of aldermen of said city, where the fine, penalty, pecuniary forfeiture, forfeiture of personal property, punishment or imprisonment, for any one offence shall not exceed two hundred dollars and six months imprisonment, or two hundred dollars in value. The proceedings in all cases in said court shall be commenced by complaint and warrant; and all said fines, penalties, pecuniary forfeitures, forfeitures of personal property, punishments and imprisonments, may be prosecuted for, recovered and imposed on complaint and warrant before said court, and on appeal therefrom before any proper court in any appellate proceedings.

Docket and record.  
Act of 1896, Ch. 371,  
Sec. 2.

CLAUSE 4. Said court shall keep a regular docket of all cases therein, shall record its judgments, orders and sentences, and furnish certified copies thereof when required; for which copies it shall receive the same fees as are by law allowed to clerks of the common pleas division of the supreme court.

Summary proceedings.  
Act of 1896, Ch. 371,  
Sec. 2.

CLAUSE 5. Said court shall have power to issue writs of summons for witnesses, and compel their attendance, and to punish for contempt by a fine not exceeding twenty dollars, or by imprisonment not exceeding ten days. Said court may also issue writs of *habeas corpus ad testificandum*, and may commit to the Providence county jail, house of correction, or state reform school, and, upon continuance of any complaint or proceeding before it, may take recognizance to the state, with surety or sureties, in such sum as said court shall think proper, with condition to appear before said court and make further answer to such complaint or proceeding, and in the meantime to keep the peace; and in want thereof may commit to the Providence county jail or to the state reform school, until such recognizance shall be given, or the parties be lawfully discharged therefrom.

Form and service of process.  
Act of 1896, Ch. 371,  
Sec. 2.

CLAUSE 6. It shall be lawful for any justice of said court so to prescribe and vary the form of all complaints, warrants, writs, or other process, as to make the same

consistent with the organization, style and jurisdiction of said court ; and such complaints, warrants, writs and other process shall have the same effect, validity and extent, and be served, obeyed, enforced and returned in the same manner and by the same officers, as if issued from the common pleas division of the supreme court ; and they may also be served by any constables of said city who are authorized to serve process in civil or criminal cases.

CLAUSE 7. Every person aggrieved by any sentence of said police court may appeal from such sentence to the common pleas division of the supreme court in Providence county, in the same manner and with the same procedure, and such appeal shall be disposed of in said common pleas division in like manner, as is prescribed in the case of appeals in criminal cases from the sentence of any district court.

Appeals.

Act of 1896, Ch. 371,  
Sec. 2.

CLAUSE 8. Costs taxed by the said police court shall be the same as those taxed by district courts, and the payment of the costs shall be a part of the sentence.

Costs.

Act of 1896, Ch. 371,  
Sec. 2.

CLAUSE 9. All moneys derived from such appeals, whether for fine and costs, or otherwise, including costs imposed in said police court on such appealed cases, shall be paid over and disposed of in like manner as moneys, obtained in cases of appeal from district courts to said common pleas division in criminal cases, are paid over and disposed of.

Fines and costs on  
appeal.Act of 1896, Ch. 371  
Sec. 2.

## SECTION XIII.

CLAUSE 1. [The provisions of this clause for division by the city council of the city into wards have been superseded ; commissions authorized by the General Assembly having divided the city into ten wards, the last division being made August 14, 1900, under Chapter 978, of June 13, 1900.]

Division of City into  
wards.

CLAUSE 2. \* \* \* The city clerk shall give notice in at least one of the newspapers printed in said city of the times and places of all ward meetings.

Notice of ward  
meetings.

CLAUSES 3, 4 and 5. The qualified voters of each ward in the City of Providence shall on the Tuesday next after the first Monday of November in each year give in their votes in

Election of aldermen  
and councilmen.Act of 1896, Ch. 402,  
Sec. 1.

their respective voting districts for one alderman and four common councilmen, to serve for one year from the first Monday of January next ensuing and until others are elected and qualified to fill their places.

Qualifications of aldermen and councilmen.

CLAUSE 6. Each alderman and each common councilman so voted for shall be a qualified voter in said city for aldermen and common councilmen, and resident in the ward for which he is elected.

Election of mayor, city treasurer, harbor master, and overseer of the poor.

Act of 1896, Ch. 402, Sec. 2.

CLAUSE 7. The electors of said city of Providence, qualified to vote for general officers, shall on the Tuesday next after the first Monday in November of each year give in their votes in their respective voting districts for a mayor, a city treasurer, a harbor master, an overseer of the poor, \* \* \* who shall hold their respective offices for the term of one year from the first Monday of January next ensuing, and until others are elected and qualified to fill their places.

\* \* \* \* \*

New elections.  
Act of 1879, Ch. 744, Sec. 3.

CLAUSE 10. \* \* \* In case \* \* \* any person elected to either of said offices shall refuse to accept his office, or shall die before being qualified in such office, the board of aldermen shall issue warrants for another election to fill the vacancy. \* \* \*

SECTION XIV.

CLAUSE 1. Expired.

SECTION XV.

Dexter Donation.

CLAUSE 1. All persons who, by the provisions of the constitution of this state, are entitled to vote in the city of Providence for aldermen and members of the common council, or upon any proposition to impose a tax, or for the expenditure of money, are hereby declared to be freemen, entitled to vote in all meetings held in said city for the purpose of transacting business in relation to the property and estate devised to the town of Providence by the last will and testament of Ebenezer Knight Dexter, and denominated the Dexter Donation, and the asylum or other town or city

property connected therewith. And it shall be lawful at all times for such freemen of said city, or any number of them not less than forty, to hold such town meetings in said city; and the times and places of holding such meetings, and the warning thereof, shall be appointed and directed by the city council; and the proceedings of every such town meeting shall be recorded in a book to be kept for that purpose by the city clerk, who shall be ex-officio the clerk of said meeting.

Town meetings.

## SECTION XVI.

CLAUSE 1. All the ordinances, rules and regulations heretofore made by the city council or the board of aldermen of said city, and now in force, and all processes made under or by virtue of the same, shall, notwithstanding this act, be and remain in force until they shall expire by limitation, or shall be repealed by said bodies respectively; and prosecutions and suits may be commenced and proceeded in thereon, in the name of said city, or of the officers or other persons by said ordinances, rules and regulations empowered or directed to prosecute or sue; and the fines and penalties recovered shall go to the uses in such ordinances, rules and regulations named, or according to law. Nothing in this act shall be construed to impair any right which has accrued, or discharge any obligation which has attached, by force of the acts to which this act is in amendment, otherwise than is herein specially provided for.

Existing ordinances continued.

Rights and obligations.

## SECTION XVII.

CLAUSE 1. All acts and parts of acts inconsistent with or repugnant to the provisions of this act, or the provisions whereof are herein enacted, shall be, and the same are, hereby repealed.

Inconsistent acts repealed.

## SECTION XVIII.

CLAUSE 1. This act shall take effect immediately upon and after its passage.

When to take effect.

## ADDITIONAL FISCAL POWERS.

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### Chapter 739

of March 12, 1868.

AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO  
REGISTER THE BONDS OF SAID CITY.

SECTION

1. Registration of city bonds.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

Registration of city  
bonds.

SECTION 1. The city council of the city of Providence may provide by ordinance for the registration of any of the coupon bonds of said city whenever any holder of any such bond shall surrender the same with the unpaid coupons belonging thereto to the city treasurer of said city ; and said city treasurer shall keep such record of the same, and issue such certificate thereof, as said city council shall direct, which certificate shall not be transferable but by the order of the person to whom the same is issued, or of his personal representative, made thereon ; and upon notice to said city treasurer, and upon the reception of any notice of such transfer, it shall be the duty of the said city treasurer to enter a memorandum thereof upon the record of such certificate.

Operative clause.

SEC. 2. This act shall take effect from and after its passage.

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### Chapter 310

of March 14, 1873.

AN ACT TO AUTHORIZE THE CITY OF PROVIDENCE TO  
ESTABLISH A BOARD OF COMMISSIONERS OF SINK-  
ING FUNDS.

SECTION

1. City council may establish board of  
commissioners of sinking funds.

SECTION

2. Their powers and liabilities.  
3. Operative clause.

*It is enacted by the General Assembly as follows ;*

Commissioners of  
sinking funds.

SECTION 1. The city council of the city of Providence are hereby authorized to establish by ordinance a board of



commissioners of sinking funds who shall have the control and management of all sinking funds established for the redemption of any bonds or notes heretofore issued by said city, or which may hereafter be issued by said city, or for the redemption of any bonds now held or which may hereafter be held by said city.

SEC. 2. Said board shall have all the powers and be subject to all the liabilities now by law imposed upon the trustees of the several sinking funds established by said city, but shall not give bonds for the faithful performance of their duties unless required so to do by the ordinance of said city.

Their powers and liabilities.

SEC. 3. This act shall take effect from and after its passage; and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Operative clause.

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AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO BORROW MONEY TO PAY ONE HALF OF THE STATE TAX DUE ON OR BEFORE JUNE FIFTEENTH.

**Chapter 323**  
Of April 21, 1882.

SECTION

1. City may borrow money every year for portion of state tax.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city of Providence may, in each and every year, borrow so much money as may be necessary to pay that portion of the state tax that is due from the city to the state on or before the fifteenth of June in each and every year, and may give its negotiable notes therefor, which shall be paid during the month of October thereafter.

City may borrow money for portion of state tax.

SEC. 2. This act shall take effect immediately upon its passage; and all acts and parts of acts inconsistent herewith are hereby repealed.

Operative clause.

**Chapter 1234** AN ACT IN RELATION TO THE ISSUE OF BONDS OF  
of May 3, 1893. THE CITY OF PROVIDENCE.

## SECTION

1. Method of sale of city bonds and notes.

## SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

Method of sale of city bonds and notes.

SECTION 1. The city council of the city of Providence may by resolution or ordinance authorize the city treasurer of said city, acting by and with the advice of one of the joint standing committees of said council, to receive, accept or reject on behalf of said city, bids for the sale of the whole or any portion of any issues of the bonds or notes heretofore authorized, or that may hereafter be authorized to be issued by said city.

Operative clause.

SEC. 2. This act shall take effect on and after its passage.

**Chapter 1290** AN ACT TO PROVIDE FOR THE PAYMENT OF THE  
of April 13, 1894. BONDS AND NOTES OF THE CITY OF PROVIDENCE IN GOLD COIN OF THE UNITED STATES, IN STERLING, OR IN CURRENCY, AT THE OPTION OF THE CITY COUNCIL.

## SECTION

1. Payment of future city bonds or notes in gold coin, sterling, or currency.

## SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

Payment of future city bonds or notes in gold coin, sterling, or currency.

SECTION 1. The city council of the city of Providence is hereby authorized and empowered to provide for the payment of all bonds or notes of said city hereafter issued, both principal and interest, in gold coin of the United States, in sterling, or in currency of the United States, at its option.

Operative clause.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed ; and this act shall take effect upon its passage.

AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF PROVIDENCE TO USE FOR GENERAL PURPOSES, ANY UNEXPENDED BALANCES OF TAXES ASSESSED IN ANY YEAR, FOR PAYING THE INDEBTEDNESS OF THE CITY OR THE INTEREST THEREON, OR FOR APPROPRIATION TO ANY OF THE SINKING FUNDS, OR FOR THE APPROPRIATION OF THE STATE TAX ASSUMED BY THE CITY NOT REQUIRED FOR SAID PURPOSES.

## Chapter 481

of Feb. 5, 1897.

### SECTION

1. Application of unexpended balances.

### SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city council of the city of Providence is hereby authorized to use for general purposes, unexpended balances of any tax assessed in any year, for paying the indebtedness of the city, or the interest thereon, or for appropriation to any of the sinking funds, or for the appropriation of the state tax assumed by the city, not required for said purposes.

Application of unexpended balances.

SEC. 2. This act shall take effect from and after its passage.

Operative clause.

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AN ACT AUTHORIZING TOWN AND CITY COUNCILS TO COLLECT FEES FOR LICENSES AND COMMISSIONS ISSUED TO OFFICERS ELECTED OR APPOINTED BY SUCH COUNCILS.

## Chapter 474

of May 21, 1897.

### SECTION

1. Fees for licenses and commissions.

### SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The town councils of towns and the city councils of cities and the boards of aldermen thereof, respectively, are hereby authorized to charge and collect for licenses and commissions issued to officers elected or appointed by them, respectively, such fees as the town and

Fees for licenses and commissions.

city council or the board of aldermen thereof, respectively, shall fix by ordinance or resolution.

Operative clause.

SEC. 2. This act shall take effect from and after its passage.

**Chapter 660**  
of May 10, 1899.

AN ACT IN AMENDMENT OF SECTION 8 OF CHAPTER 36 OF THE GENERAL LAWS.

SECTION

1. Appropriations for public celebrations, and for band concerts.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

Appropriations for Fourth of July, public celebrations, and for band concerts.

SECTION 1. Section 8 of Chapter 36 of the General Laws is hereby amended to read as follows :

“SEC. 8. The several towns may appropriate and expend in each year for the celebration of the anniversary of American independence, and of other public occasions, money as follows, namely: In towns having a population of over fifty thousand inhabitants, a sum not exceeding five thousand dollars, \* \* \* *Provided*, that the city of Providence may appropriate and expend in each year the further sum of three thousand dollars for any such celebration or celebrations, or for band concerts in one or more of the public parks of said city, or on Dexter Training Ground, or for both such concerts and celebration or celebrations.  
\* \* \*

Operative clause.

SEC. 2. This act shall take effect from and after its passage.

AN ACT PROVIDING FOR THE EXPENDITURE OF RECEIPTS FROM SEWER ASSESSMENTS IN THE CITY OF PROVIDENCE.

Chapter 870

of Feb. 13, 1901.

SECTION

1. Sewer assessments to be applied to sewer bond sinking fund.
2. Application of, by city treasurer.

SECTION

3. Application of surplus; and provision by city council for deficit.
4. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The receipts from assessments for the payment of the cost of the construction of sewers in the City of Providence, made under the authority of Chapter 313 of the Public Laws, passed at the January Session, 1873, and the several acts in amendment thereof, and the receipts for connections built under authority of Chapter 1336 of the Public Laws, passed at the May Session, 1894, or any amendment thereof, shall be exclusively used for the payment of the annual appropriations for sinking funds for sewer bonds issued by said city, excepting such amounts as may from time to time be required to lawfully refund sewer assessments

Sewer assessments must be applied to sewer bond sinking fund.

SEC. 2. The receipts from said sewer assessments and connections during each fiscal year of said city shall be held by the city treasurer for the payment of said appropriations for sinking funds for the second fiscal year next succeeding such receipts.

Application of, by city treasurer.

SEC. 3. If said receipts in any year amount to more than will be required for the purpose named in section two of this act, the surplus shall be added to said receipts of the next succeeding year. If said receipts in any year amount to less than will be required for the purpose named in section two of this act, the city council of said city shall provide for an amount, to be assessed in the annual city tax next after the fiscal year of said receipts, sufficient to pay the difference between said receipts and the amount required for said sinking funds.

Application of surplus and provision for deficit.

SEC. 4. This act shall take effect from and after its passage.

Operative clause

## DEPARTMENT OF PUBLIC WORKS.

[NOTE.— Chapter 815 of the Public Laws, passed April 15, 1880, created a Board of Public Works to be composed of three persons; Chapter 677, of March 23, 1888, provided for the abolishment of said Board and for the election by the City Council of a Commissioner of Public Works with all of the powers of said Board; Chapter 869 of May 1, 1890, provided for the appointment of said Commissioner triennially, by the Mayor, subject to the approval of the Board of Aldermen, with all of the powers exercised by the former Commissioner. These acts, as amended, are here presented in consolidated form, together with Chapter 813, of May 31, 1889, authorizing said Commissioner to employ a secretary.]

### Chapter 815

of April 15, 1880.

AN ACT IN AMENDMENT OF CHAPTER 598 OF THE STATUTES, ENTITLED "AN ACT TO REVISE, CONSOLIDATE AND AMEND THE ACT ENTITLED 'AN ACT TO INCORPORATE THE CITY OF PROVIDENCE,' AND THE SEVERAL ACTS IN ADDITION THERETO AND IN AMENDMENT THEREOF."

#### SECTION ONE

- Clause 1. Commissioner of public works, appointment and term of office.
2. Salary.
3. Powers and duties; bridges; appointment of engineers.
4. City engineer and assistants; tenure of office and salaries.
5. Reports on bridges.
6. Salaries, how paid.
7. Commissioner's secretary and his salary.
8. Employees and their compensation.

#### SECTION

2. Sewers and drains.
3. Pawtucket water; sewer assessments.
4. Sewer assessments, how to be made.

#### SECTION

5. Re-assessment for sewers.
6. Right to connect with sewers.
7. Sewer assessments to be a lien on estates; when and how payable.
8. Discount for anticipated payments of sewer assessments.
9. Interest and expenses on delinquent payment of sewer assessments.
10. Highway powers of commissioner.
11. Construction of public works under ordinances of city council.
12. Commissioner's official bond.
13. Offices of highway and water commissioners abolished.
14. Inconsistent acts repealed.
15. Operative clause.



*It is enacted by the General Assembly as follows :*

SECTION 1. The mayor of the city of Providence shall, in the month of February, 1891, and triennially thereafter in the month of February, appoint a commissioner of public works for the city of Providence, which appointment shall be approved by the board of aldermen of said city. Said commissioner shall hold his office for the term of three years from the first Monday in March following his appointment and until his successor is appointed and qualified.

Commissioner of  
public works.  
Act of 1890, Ch. 869,  
Sec. 1.

The city council of said city may from time to time in its discretion, fix, change, alter and regulate by ordinance the salary or compensation of the commissioner of public works.

His salary.  
Act of 1888, Ch. 677,  
Sec. 3.

The commissioner of public works for the city of Providence now in office, and those hereafter to be appointed, shall have all the authority, power and duties vested in and conferred upon the board of public works by this act and the acts in amendment thereof, and in addition thereto ; shall have charge of the construction, maintenance and repairs of all public bridges in the city of Providence. He shall also have control of the engineering department of said city, and shall annually on the first Monday of May in each year appoint a city engineer of the city of Providence, and from time to time such subordinate engineers and assistants as he may deem necessary, all of whom shall perform such duties as may be required by said commissioner.

Powers and duties.  
Act of 1890, Ch. 869,  
Sec. 2.

Bridges.  
Engineering.

City Engineer.

The city engineer of the city of Providence, and the subordinate engineers and assistants appointed by the commissioner of public works, shall hold their offices during the pleasure of said commissioner, but not exceeding his term of office. Said city engineer and said subordinate engineers and assistants shall receive salaries to be fixed by said commissioner, subject to the approval of the board of aldermen of said city.

Tenure of office of  
city engineer and his  
assistants.

Act of 1890, Ch. 869,  
Sec. 3.

Salaries.

The commissioner of public works shall annually and oftener if, in his opinion, it shall be necessary, or if required so to do by either branch of the city council, make a careful examination of any or all the public bridges afore-

Reports on bridges.  
Act of 1890, Ch. 869,  
Sec. 4.

said, and shall make to that branch of the city council requesting the same such reports respecting the condition thereof as to safety and need of repair, or renewal, as in his judgment may be required. The commissioner of public works shall make a written or printed report to the city council in the month of January in each year, stating the condition of all bridges in the city, or for which the city is in any way responsible, and shall also with such report present an estimate of the probable cost of repairs upon each of the same for the ensuing year.

Salaries, how paid.  
Act of 1890, Ch. 869,  
Sec. 5.

The city treasurer of the city of Providence shall pay to the said officers hereinbefore named, monthly, the several compensations herein provided for.

Secretary and his  
salary.  
Act of 1889, Ch. 813.

The commissioner of public works of the city of Providence is hereby authorized to employ a secretary and fix his compensation at a sum not to exceed three thousand dollars annually. The city treasurer of said city shall pay to the secretary employed as aforesaid, monthly, the compensation fixed by the said commissioner, but not to exceed three thousand dollars annually.

Employees.  
Act of 1885, Ch. 530.

The commissioner of public works of the city of Providence may employ such agents and servants as he may deem necessary and agree with them for their compensation: *provided, however*, that said commissioner shall not authorize the payment to any of his agents or servants of compensation in excess of the sum of one thousand dollars per annum, unless such compensation shall have first been approved by the city council of said city; *and provided further*, that the aggregate amount paid for such compensation shall not exceed the amount appropriated therefor by said city council; which said compensation shall be paid out of the city treasury.

Sewers and drains.  
Act of 1880, Ch. 815,  
Sec. 2.

SEC. 2. The commissioner of public works shall have, subject to the control of the city council, the general charge and management of the construction, reparation and maintenance of all common sewers and drains, whether laid in public streets or through private property.

Pawtuxet water.  
Act of 1880, Ch. 815,  
Sec. 3.

SEC. 3. The said city council may by ordinance confer upon said board all the authority conferred upon and

given to said city by Chapter 640 of the statutes, passed January session, 1866; also, said commissioner shall have the power to make all assessments authorized to be made under the provisions of Chapters 807, passed January session, 1869, and 931, passed January session, 1871, of the statutes, and of Chapter 313 of the public laws, passed January session 1873, and the several acts in amendment thereof, and under the provisions of this act, for the payment of the costs of the construction of sewers already built, or which may be hereafter built, under the provisions of said chapters or this act.

SEC. 4. All such assessments shall be made upon estates abutting upon that portion of any street or highway in which any sewer has been or may be constructed under the provision of said chapters and of this act, at the rate of sixty cents for each front foot of such estate upon such street or highway, and one cent for each square foot of such estates between such street or highway and a line not exceeding one hundred and fifty feet distant from and parallel with the line of such street or highway: *provided, however*, that where any estate is situated between two streets or highways, the area upon which said assessment of one cent per square foot is made shall not extend to more than one half the distance between such streets or highways; *and provided also*, that when any estate is situated at the corner of two streets or highways, or otherwise so situated as to be assessed for the expenses of making a sewer on one of such streets or highways, that portion of such estate assessed for a sewer in one of such streets or highways shall not be liable to be assessed upon its area for the cost of constructing a sewer in the other of such streets or highways, but only for its frontage upon such streets; *and provided also*, that no estate or portion of estate shall be assessed for the construction of any sewer, unless such estate or some portion thereof shall abut and be bounded upon the street on which said sewer shall have been constructed, or unless such estate has a right of access to said street or highway by a private gangway.

SEC. 5. Any land or estate which has been heretofore assessed for a sewer tax the collection of which has been

[Conferred by ordinance, December 19, 1884, and now exercised by the commissioner.]

Sewer assessments.

Sewer assessments,  
how to be made.  
Act of 1880, Ch. 815,  
Sec. 4.

Rate of assessment.

Area between streets.

Assessment for more  
than one sewer.

Exemption from  
assessment.

Re-assessment.  
Act of 1880, Ch. 815,  
Sec. 5.

forbidden by Chapter 635 of public laws, passed May 31, A. D. 1877, and any land or estate already assessed for a sewer tax which has been collected, which shall have been or may be refunded under the provision of said chapter, may be re-assessed whenever any sewer shall be constructed in any street or highway upon which said land or estate or some part thereof shall abut.

Right to connect.

Act of 1880, Ch. 815,  
Sec. 6.

SEC. 6. When any such assessment shall be made upon any land for the expense of constructing any such sewer, the owner of the land so assessed shall have the right to connect such land with such sewer under such general rules and regulations as said commissioner of public works shall prescribe, upon executing to said city a release of all damages which may at any time happen to such estate in any way resulting from such connection.

Assessments to be  
a lien, and when and  
how to be payable.

Act of 1880, Ch. 815,  
Sec. 7.

SEC. 7. All assessments made under the authority of this act shall be a lien upon the the estate upon which they are made from the date upon which they are certified by said commissioner to the city treasurer for collection, and shall be due and payable one year after the lodgment thereof as aforesaid: *provided, however*, that if one third of any such assessment shall be paid to the city treasurer on or before the day the same becomes due and payable, the remainder of such assessment may be and remain unpaid for one year from the day the said assessment was due, when the same with six per centum interest thereon shall become due and payable; *and provided further*, that if the one half of said assessment then remaining unpaid, and all interest upon the whole amount, shall then be paid to said city treasurer, the remainder of said assessment shall not be due and payable until one year from the last named date, when it and six per centum thereon as interest shall be due and payable. If, however, either of such sums or parts of such assessments shall not be paid on or before the date that either of them shall become due and payable as aforesaid, then and in that case the whole assessment shall be due and payable, and shall thereafter bear interest at the rate of seven per centum per annum, and shall be collected as the ordinary taxes of the city are collected.

- SEC. 8. Any person paying the whole of any assessment so made upon any estate as aforesaid, before the expiration of one year after the same shall be certified to the city treasurer, shall be entitled to receive and may receive a discount thereon at the rate of six per centum per annum to the time said assessment is due and payable as first aforesaid.
- SEC. 9. Any person may pay the amount of any such assessment or balance due thereon, at any time after the expiration of one year after the same shall be certified to the city treasurer as aforesaid, by paying in addition thereto interest at the rate of six per centum per annum from the time said assessment is due and payable as first aforesaid, with all the expenses incurred for the collection thereof, if any there be.
- SEC. 10. The commissioner of public works shall have and exercise all the powers now by law vested in surveyors of highways and highway commissioners.
- SEC. 11. The said city council may also by ordinance confer upon said commissioner the power to construct, repair and maintain bridges and such other public works and public buildings as said city council may deem expedient.
- SEC. 12. The said city council may \* \* \* \* require said commissioner to give bond to the city for the faithful performance of the duties of his office, with such conditions as said city council shall prescribe.
- SEC. 13. Upon the election of the board of public works, the term of office of the highway commissioners and water commissioners shall terminate.
- SEC. 14. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.
- SEC. 15. This act shall take effect on and after its passage.

Discount for anticipated payments.

Act of 1880, Ch. 815, Sec. 8.

Interest and costs on delinquent payments.

Act of 1880, Ch. 815, Sec. 9.

Highway powers.

Act of 1880, Ch. 815, Sec. 10.

Public work.

Act of 1880, Ch. 815, Sec. 11.

Official bond.

Act of 1880, Ch. 815, Sec. 12.

Offices abolished.

Act of 1880, Ch. 815, Sec. 13.

Inconsistent acts repealed.

Operative clause.

**Chapter 899**  
of June 3, 1881.

AN ACT IN AMENDMENT OF CHAPTER 313 OF THE PUBLIC LAWS, ENTITLED "AN ACT ESTABLISHING A BOARD OF PUBLIC WORKS IN THE CITY OF PROVIDENCE."

## SECTION

1. Exemption of cemeteries from sewer assessments.

## SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

Exemption of cemeteries from sewer assessments.

SECTION 1. All lands in the city of Providence held by religious and cemetery corporations for cemetery purposes shall be exempt from the payment of any and all assessments for the construction of sewers made in pursuance of the provisions of Chapter 313 of the public laws, so long as such lands shall be held and used solely for such purposes : *provided*, that all assessments made for the construction of sewers on such lands under the provisions of said Chapter 313 of the public laws, or any acts in amendment thereof or in addition thereto, shall be and remain for thirty years a lien on said lands, without interest, and the city of Providence may enforce the collection of said assessments whenever said lands or any portion thereof shall be abandoned for cemetery purposes, in the same manner as other sewer assessments are collected or enforced.

Operative clause.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed ; and this act shall take effect upon its passage.

**Chapter 1239**  
of May 4, 1893.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 313 OF THE PUBLIC LAWS, PASSED MARCH 28, 1873, ENTITLED "AN ACT TO ESTABLISH A BOARD OF PUBLIC WORKS IN THE CITY OF PROVIDENCE," AND TO CHAPTER 702 OF THE PUBLIC LAWS, PASSED MAY 30, 1878.

SECTION 1. Life tenant paying sewer assessments made under chapter 313, of March 28, 1873, may enforce contribution from remaindermen.

*It is enacted by the General Assembly as follows :*

Life tenants may enforce contribution from remaindermen.

SECTION 1. Whenever the owner of a life interest in any estate assessed under "An act to establish a board of pub-



lic works in the city of Providence," or under the act entitled "An act in relation to laying out and making main drains and sewers in the town of Pawtucket," and any acts in amendment of said acts respectively, for the construction of a sewer, has paid, or who shall hereafter pay, the whole amount of the assessment against said estate, he may recover of the owner of said estate, subject to said life interest, such proportional part of said assessment as the value of the estate subject to said life interest bears to the value of the life interest, by an action on the case or by bill or partition in equity.

AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS OF THE CITY OF PROVIDENCE TO BUILD SEWER CONNECTIONS INSIDE THE LINE OF CURBING ON STREETS WHEN SEWERS ARE CONSTRUCTED.

**Chapter 1336**  
of June 12, 1894.

SECTION  
1. Connections with sewers to be paid for by owner of abutting estate.

SECTION  
2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. Whenever a sewer shall be hereafter constructed in any street or highway in the city of Providence, the commissioner of public works of said city of Providence may cause to be built such connections with said sewer as he may deem advisable, and may cause such connections to be extended inside of the curbing and not further than to the boundary line of the abutting estate ; and the expense of said sewer connections so built shall be paid for by the abutting owners, and such expense shall be secured by lien on the abutting estate, and be collected in the same manner as provided by law for the collection of other sewer assessments by said city.

Connections with sewers to be paid for by owner of abutting estate.

SEC. 2. This act shall take effect from and after its passage.

Operative clause

**Chapter 632**

of February 17, 1899.

## AN ACT IN RELATION TO SEWERS IN THE CITY OF PROVIDENCE.

## SECTION

1. Use of sewers may be regulated by ordinance.

## SECTION

2. Penalties.
3. Operative clause.

*It is enacted by the General Assembly as follows :*

Use of sewers may be regulated by ordinance.

SECTION 1. The city council of the city of Providence is hereby authorized from time to time to prescribe rules and regulations relative to the use of the common sewers of said city, and by general ordinance forbid the introduction or turning into said sewers of any substance injurious or detrimental to said sewers or to the public use thereof.

Penalties.

SEC. 2. Any person violating any of such rules, regulations or orders shall be fined not exceeding twenty dollars for each such violation, and not exceeding twenty dollars for each additional day that any such violation shall continue, as may be prescribed by ordinance of said city council, and shall also be liable in an action of the case for all damages caused to said city or to any person by any such prohibited act.

Operative clause.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed ; and this act shall take effect from and after its passage.

**Chapter 640**

of March 8, 1866.

## AN ACT FOR SUPPLYING THE CITY OF PROVIDENCE WITH PURE WATER.

## SECTION

1. Source of water supply.
2. Powers conferred for the introduction and supply of water.
3. Water commissioners.
4. Damages for lands and water rights.

## SECTION

5. Regulation of use of water.
6. Liability for use of water.
7. Penalty for injury to water or to water-works.
8. Water bonds.

*It is enacted by the General Assembly as follows :*

Source of water supply.

SECTION 1. The city of Providence is authorized, in the manner hereinafter provided, to convey into and through

said city the waters of the Pawtuxet, Blackstone, Ten Mile or Woonasquatucket rivers, for the purpose of furnishing a supply of pure water for said city : and the city council of said city shall determine from which source to bring said water, after the tax-payers thereof shall have decided to introduce the same into said city.

SEC. 2. The said city of Providence is hereby authorized to acquire by purchase, and to hold, the waters of said streams, or either of them, and any water rights connected therewith, and may also purchase, take and hold any real estate necessary for laying aqueducts and forming reservoirs, and for any of the purposes of this act : and may build one or more permanent aqueducts from the said water sources, selected and determined upon as aforesaid, into and through said city, and secure and maintain the same by any proper works, and may connect said water sources with one another ; may erect and maintain dams to raise and retain the waters therein ; and make and maintain reservoirs within and without the said city : and in general may do any other act necessary or convenient for the purpose of this act ; and may distribute the water throughout the city, regulate its use, and the price to be paid therefor, within and without the city ; and said city, for the purposes aforesaid, may carry any works by them to be constructed over or under any highway, turnpike, railroad or street, in such manner as not to permanently obstruct or impede travel thereon ; and may enter upon and dig up any highway, turnpike-road or street, for the purpose of laying down pipes or building aqueducts upon or beneath the surface thereof, or for the purpose of repairing the same.

Powers conferred upon the city for the introduction and supply of water.

SEC. 3. The city council of said city is hereby authorized to provide by ordinance for the appointment of three water commissioners, for the purpose of exercising such portion of the authority conferred and given by this act as may be defined by ordinance of said city, as aforesaid, and also to prescribe in like manner the duties of such commissioners ; also, when and in what manner, and for what term and terms, said water commissioners shall be chosen by the city council of said city, in convention : *provided, however,*

Water commissioners.

that the first board of commissioners, appointed as aforesaid, shall hold their offices for the term of three years, unless the works contemplated by this act are sooner completed; and said city council may, if they shall see fit, prescribe that said commissioners shall give bond and in what amount, for the faithful performance of their duties, and in what manner and for what causes, said commissioners, or either of them, may be removed from office, and also the amount of compensation of each of said commissioners.

Damages for lands  
and water rights.

SEC. 4. If any owner of lands, waters or water rights, taken for the purposes of this act, shall not agree with said city upon the price to be paid therefor, he may at any time within, but not after, one year from the time of such taking, apply by petition to the supreme court holden within and for the county in which such lands, waters or water rights shall have been taken, at any regular term of such court; and upon such petition being filed, at least twenty days' notice thereof shall be given to said city by serving the said commissioners, or either of them, with a certified copy of such petition; and the court may, after such notice, proceed to the hearing of the petition, and may appoint three disinterested persons, being freeholders and residents of the state, appraisers to determine, after reasonable notice to the parties, what damages, if any, the petitioner has sustained, and the award of such appraisers or the major portion of them shall be returned by them to the court as soon as may be, and upon acceptance thereof by the court, unless a jury trial be applied for as hereinafter provided, judgment shall thereupon be rendered by said court for the party prevailing, with costs, and execution may issue accordingly: *provided*, that if either party shall be dissatisfied with such award, such party may, immediately upon the return thereof to the court, apply for a trial by jury, which shall determine all questions of fact relating to such damages and the amount thereof; and such trial shall thereupon be ordered by said court, and had as soon as conveniently may be, and judgment shall be entered upon the verdict of said jury, and costs shall be allowed to the party prevailing, and execution may be issued therefor; *provided*, that no petition or com-

plaint shall be made as aforesaid for the taking of any land, water or water rights, until the same shall be actually taken or withdrawn by said city, by virtue of the provisions of this act.

SEC. 5. Said city shall have the exclusive right of the waters aforesaid, taken by said city for the purposes aforesaid, and may maintain an action against any person for using the same without the consent of said city; and may regulate the distribution and use of said water within and without the city, and from time to time fix the price for the use thereof; and may establish such public hydrants in such public places as they may see fit, and prescribe for what purposes the same shall be used; all which they may change at their discretion.

Regulation of use of water.

SEC. 6. The owner and also the occupant of any tenement shall be liable for the payment of the price or rent for the use of the water in such premises.

Liability for use of water.

SEC. 7. If any person shall maliciously or wantonly divert the water of any of the said streams or water sources from which water shall be introduced into said city as aforesaid, or shall corrupt or render impure the same, or any connected therewith, or shall destroy or injure any drain, pipe, aqueduct, conduit or machinery, or other property used in or relating to the premises, such person or persons, and his or their aiders and abettors, shall each forfeit to said city, to be recovered in an action of trespass, or trespass on the case, treble the amount of damage which shall appear on trial to have been sustained thereby, and shall also be liable to indictment therefor, and upon conviction shall be fined not exceeding five thousand dollars or imprisoned not exceeding three years.

Penalty for injury to water or water-works.

SEC. 8. For the purpose of defraying all the expenses and cost of such lands, waters and water rights as shall be taken or purchased for the purposes of this act, and of constructing all works necessary to the accomplishment of said purposes, and all expenses incidental thereto, the said city of Providence is hereby authorized and empowered to issue bonds, scrip or certificates of debt, bearing not more than seven per centum interest per annum, under the corporate

Water bonds.

name and seal of said city, signed by the treasurer thereof, or such other duly authorized person or persons as the council may direct, in such form as may be found expedient, not exceeding the sum of two million dollars, said bonds, scrip or certificates, to be payable whenever the city council of said city shall provide; and said bonds, scrip or certificates shall be obligatory upon said city in the same manner and to the same extent as other debts lawfully contracted by said city. And the money derived from the issue of such bonds, scrip or certificates may be expended by said city, in whole or in part, for the purposes aforesaid intended by this act, in such manner as the said city may by ordinance direct.

## Chapter 897

of January 24, 1871.

AN ACT IN AMENDMENT OF CHAPTER 43 OF THE REVISED STATUTES, "OF LAYING OUT AND MAKING HIGHWAYS AND DRIFTWAYS," AND CHAPTER 640 OF THE STATUTES ENTITLED "AN ACT FOR SUPPLYING THE CITY OF PROVIDENCE WITH PURE WATER."

### SECTION

1. Damages to lands owned by persons having different interests, to be assessed in an entire sum; how to be apportioned.

### SECTION

2. Supreme court to appoint trustees, when.
3. Operative clause.

*It is enacted by the General Assembly as follows :*

Damages to lands owned in different interests, to be assessed in entire sum; how apportioned.

SECTION 1. When persons having a claim for damages sustained in their lands by the laying out, alteration or discontinuance of a highway, or by the taking of lands for the construction of water works or other public works, have separate or different interests in such lands so that an estate for a term of years, or for life, belongs to one person and remainders either contingent or vested or the reversion in said lands belongs to others, entire damages or an entire sum as indemnity shall be assessed in the same manner as is provided in other cases where lands are so taken, without any apportionment thereof, and the amount of such damages or indemnity, subject to any and all liens thereon, shall be paid over and be recoverable by any person whom the parties owning the several interests in such lands may appoint, to be invested by him when paid over or recov-



ered in such manner as the supreme court shall direct, and held in trust for the benefit of the parties entitled thereto, according to their several interests, the annual income to be paid over to the person owning the estate for years, or life, for and during the continuance of such estates, and the remainder, after the termination of such estates, to be paid over to the persons entitled to the same.

SEC. 2. If any of the persons having an interest in such lands shall, by reason of any legal disability, be incapacitated from choosing a trustee, or if the parties in interest cannot agree upon a choice, the supreme court, upon application of any of the parties interested in such lands, and after notice to all parties interested, shall appoint some suitable person as trustee. Said trustee shall, before entering upon the duties of his trust, give a bond to the clerk of the supreme court, with surety or sureties to the satisfaction of said court, in such sum as said court shall direct, conditioned for the faithful performance of his duties as trustee under the provisions of this act, which bond, upon breach of its condition, may be put in suit for the use and benefit of the persons interested in such lands, in like manner as is provided in the case of bonds given by executors or administrators.

Trustees, when.

SEC. 3. This act shall take effect from and after its passage; and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Operative clause

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AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO  
BUILD A BRIDGE ACROSS PROVIDENCE RIVER.

**Chapter 772**

of June 10, 1868.

## SECTION

1. City authorized to build Point street  
bridge.

## SECTION

2. Draw, how to be constructed.  
3. Obsolete.

*It is enacted by the General Assembly as follows :*

SECTION 1. That the city of Providence be and they are hereby authorized to erect and build a bridge across Providence river within the limits of said city at such place as the city council of said city shall select between Weybosset

Point street bridge.

bridge and the south line of India street on the east side of said river and the south line of Crary avenue on the west side of said river.

Drawbridge.

SEC. 2. Said city shall construct, keep and maintain in said bridge, a swing draw with an opening on each side thereof of not less than one hundred feet in width, and shall at all times keep a sufficient force stationed at said bridge to open said draw for the passage of vessels through the same and without expense to said vessels.

Obsolete.

SEC. 3. [Provision for payment.]

## Chapter 880

of June 16, 1870.

AN ACT IN AMENDMENT OF CHAPTER 772 OF THE STATUTES, ENTITLED "AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO BUILD A BRIDGE ACROSS PROVIDENCE RIVER."

SECTION

1. Superintendent of Point street bridge, appointment.
2. Duties of superintendent.
3. Duties of masters of vessels.

SECTION

4. Penalty for interference or injury.
5. Penalty for neglect by city or officers.
6. Compensation of employees.

*It is enacted by the General Assembly as follows :*

Superintendent of Point street bridge, appointment.

SECTION 1. Whenever the bridge authorized by Chapter 772 of the statutes, and known as the Point street bridge, shall be completed and opened to public travel, it shall be the duty of the board of aldermen of the city of Providence to appoint an officer who shall be styled superintendent of the Point street bridge, and who shall hold his office during the pleasure of said board.

His duties.

SEC. 2. Said superintendent shall at all times during the season of navigation cause the draw in said bridge to be opened for the passage of vessels upon proper signals, to be fixed by said board of aldermen ; and shall give all necessary advice and furnish proper facilities for the passing of all such vessels through said draw, and shall allow no unnecessary detention, having due regard to the state of the tide and the convenience of public travel over said bridge ; and shall also decide as to the priority of right when two or more vessels apply to pass said draw at the same time.

SEC. 3. Masters of boats or vessels passing said draw shall so place their buoys, warping lines, cables and anchors as neither to interfere with other vessels nor obstruct said bridge, except as they may be authorized by said superintendent.

Masters of vessels,  
their duties.

SEC. 4. Any person wilfully obstructing said superintendent in the performance of his duty as prescribed by this act, or who shall injure or deface said bridge or any of its appurtenances, or shall open or obstruct said draw without consent of said superintendent, or shall make fast or moor to said bridge any vessel, boat, scow or raft, or shall violate any of the provisions of this act, shall upon conviction thereof pay a fine of not less than ten nor more than twenty dollars, and shall also be liable to the city of Providence in damages.

Penalty for interference or injury.

SEC. 5. The city of Providence or any officer or officers thereof, for the neglect or the refusal to comply with the provisions of this act, shall upon conviction thereof pay a fine of not less than fifty nor more than five hundred dollars, and shall further be liable to pay to the owners of any such vessels or the cargo thereof, all damages they may sustain by reason of such neglect or refusal.

Penalty for neglect by city or officers.

SEC. 6. [Obsolete by Chapter 869, sec. 2, ante, page 27, and Chapter 530, ante, page 28. The compensation of the superintendent is now fixed by ordinance, and that of other bridge employees by the commissioner of public works.]

Compensation of employees.

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AN ACT PROVIDING FOR CLEARING THE CHANNEL OF THE SEEKONK RIVER AT INDIA POINT, IN PROVIDENCE, OF OBSTRUCTIONS; AND FOR THE CONSTRUCTION OF A BRIDGE NEAR THE SITE OF THE PROVIDENCE WASHINGTON BRIDGE.

**Chapter 349**

of March 28, 1883.

SECTION 11. Washington Bridge, how to be maintained.

*It is enacted by the General Assembly as follows :*

SEC. 11. The city of Providence shall lay out a highway from the westerly line of the town of East Providence, over said bridge to such point in the said city as public convenience may require with reference to travel to, from and over said

Bridge and draw, how to be maintained.

bridge ; and the town of East Providence shall lay out a highway from the westerly line of said town, in extension of the highway so to be laid out by the city of Providence, over so much of said bridge as may lie within the limits of said town, and extending to such point in said town as public convenience may require with reference to the safe and convenient use by the public of said bridge as a highway over said river. And the said city and town shall keep and maintain so much of said bridge as may lie within their limits respectively ; and the said city shall keep and maintain the draw in said bridge, and at all times cause said draw to be immediately opened for the passage of vessels through the same without unnecessary hinderance or delay.

**Chapter 1332**  
of June 12, 1894.

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND  
MAINTENANCE OF A NEW BRIDGE UPON THE SITE  
OF THE PRESENT " RED BRIDGE " SO CALLED.

SECTION 11. Maintenance of Red Bridge by city of Providence.

*It is enacted by the General Assembly as follows :*

Maintenance of Red  
Bridge.

SEC. 11. The city of Providence shall maintain and keep in repair the bridge herein provided to be built, and the expense of such maintenance and repair shall be paid by the city as is now provided in the care of the present " red bridge," so called.

[NOTE.—The provisions for maintenance and repair referred to above will be found in Chapter 820, of May 28, 1869, Section 5, which provides as follows: "Sec. 5. The town of East Providence and the city of Providence shall \* \* \* \* \* contribute and pay for the maintenance and support of said bridge in condition to answer all the purposes for which it is constructed."]

## AN ACT CONCERNING SIDEWALKS IN THE TOWN OF PROVIDENCE.

Act of 1821

November 3.

## SECTION

1. Sidewalks to be built, altered and repaired by owners of adjoining lands.
2. Commissioners to superintend the building, altering and repairing of sidewalks.

## SECTION

3. Commissioners shall notify owner of adjoining lot to build, alter or improve sidewalk. Proceedings in case of neglect.
4. Building and repairing of sidewalk by owner of adjoining lot.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted,* That from and after the passing of this act, the sidewalks in the streets and highways in the town of Providence shall be built, altered and repaired at the expense of the owners of the adjoining lands, in the way and manner hereinafter provided.

Sidewalks, how to be built, altered and repaired.

SEC. 2. *And be it further enacted,* That the freemen of said town, at their annual election of town officers, shall appoint three of their number, who shall be called commissioners of sidewalks, and who shall have power and authority, and whose duty it shall be, to superintend, order and direct the manner of building, altering and amending the sidewalks, and to order and determine of what height and width the same shall be, and of what materials the walks shall be composed, and how and with what secured and finished; with power to alter and improve those already made, in such way and manner as they think the public convenience requires; to build or alter any wall on any lot adjoining the street, and to remove any steps, posts, cellar doors or other obstructions in the sidewalks.

Commissioners of sidewalks.

See Act of 1841, Page 45.

SEC. 3. *And be it further enacted,* That when the said commissioners shall have determined in what manner, and of what materials, and within what time, any new sidewalk shall be made, or in what manner, and within what time any old sidewalk shall be altered and improved, they shall cause written or printed notice thereof to be personally given to the owner of the adjoining lot, if residing within the town of Providence, particularly describing the materials, width, height and manner the sidewalk shall be built, or the alteration be made; but if the owner shall not reside in said town, then the notice shall be given to the tenant in possession; but if no tenant shall be in possession, then the same shall

Making and repair of sidewalks.

be published in one of the newspapers for the town of Providence, for three successive weeks; at the expiration of the time so limited by the commissioners, if the work shall not have been performed or proceeded in according to the directions of the said commissioners, they shall, in their discretion, order the surveyor of the highways for the time being to proceed, at the expense of the town, and execute the directions so by them given to the owner; a copy of which order shall be by them given to said surveyor; and when the same shall be by him accomplished, it shall be the duty of the commissioners to certify the expenses thereof to the assessors of taxes for said town, together with ten per centum in addition thereto, to cover the interest, cost of assessing and collection; and the said sum so certified shall be by the assessors added to the tax of the owner of such adjoining lot, so neglecting as aforesaid; which proceedings shall be conclusive, and the said owner, with his estate, shall be responsible therefor, in the same manner as for other taxes.

Repair of sidewalk  
by owners.

SEC. 4. *And be it further enacted,* That any sidewalk which may be hereafter built, altered or repaired by the owner of the adjoining lot, shall be done under the inspection of the surveyor of the highways for the time being, and in pursuance of the directions given by the commissioners aforesaid for that purpose; and that until the next annual election of town officers, Edward Carrington, Charles Dyer and Dexter Thurber be and they are hereby appointed commissioners of sidewalks, and authorized and required to carry this act into full effect.

**Act of 1823**

October 29.

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT CONCERNING SIDEWALKS IN THE TOWN OF PROVIDENCE."

SECTION

1. Corporations, otherwise exempt from taxation, to be liable to build, alter and repair sidewalks.

SECTION

2. To be liable to assessment for such repairs after notice and refusal.

Societies are not  
exempt.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted,* That the several societies owning real estate in said Providence shall be liable to the



same regulations as private individuals are liable by the act to which this act is in addition, notwithstanding they may be exempt from taxation in other respects; notice being given, as is required in the third section of said act, to the treasurer of any such society.

SEC. 2. *And be it further enacted,* That if any society shall refuse to lay or repair their sidewalks, after being notified as is required by the act to which this is in addition, then the commissioners may proceed as is in other cases provided by law; and after it is finished, they shall certify the expenses thereof, with ten per centum addition, as in other cases, to the assessors of taxes in said town; which sum, so certified, shall be collected of said society in the same manner as is provided by law for collecting taxes.

Liability.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT CONCERNING SIDEWALKS IN THE TOWN OF PROVIDENCE."

Act of 1841  
January 18.

SECTION  
1. Section 2 of the act of November 3, 1821, repealed in part.

SECTION  
2. Powers of sidewalk commissioners vested in city council, or officers appointed by them.

*Be it enacted by the General Assembly as follows:*

SECTION 1. So much of the second section of the act to which this is in amendment as requires the annual appointment of three commissioners of sidewalks is hereby repealed.

Act of Nov. 3, 1821,  
repealed in part.

SEC. 2. All the powers given by said act to the sidewalk commissioners shall, after the first Monday of June next, be vested in the city council of the city of Providence, or in case of the death or resignation of the present sidewalk commissioners, then the said powers shall be forthwith vested in said city council; and the said city council is hereby authorized, either by a committee of their own body, or by any person or persons appointed by them, to proceed in the same manner and with the same powers as are granted to the sidewalk commissioners in and by the said act to which this is in amendment.

City council have powers of commissioners of sidewalks.

## POLICE DEPARTMENT.

### Chapter 823

of May 27, 1880.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE MODE OF APPOINTMENT AND REMOVAL OF THE CITY MARSHAL, POLICE CONSTABLES AND CITY WATCHMEN OF THE CITY OF PROVIDENCE," PASSED MAY SESSION, 1855.

SECTION

- 1. Police constables and city watchmen, appointment to office.
- 2. Removal from office.

SECTION

- 3. Mayor may take charge of police force in any emergency.
- 4. Inconsistent acts repealed.
- 5. Operative clause.

*It is enacted by the General Assembly as follows :*

Police constables and city watchmen, appointment to office.

SECTION 1. The police constables and city watchmen of the city of Providence shall hereafter be appointed by the chief of police of said city, by and with the consent of the mayor and aldermen.

Removal from office.

SEC. 2. The chief of police of said city, by and with the consent of the mayor and aldermen, shall have power to remove any of said officers from office, whenever, in his opinion, the interests of said city shall require such removals.

Mayor may take full charge of police force in emergency.

SEC. 3. The mayor of the city of Providence shall have the power in any emergency, of which he shall be the judge, to take full charge of the whole or any part of the police force in said city.

Inconsistent acts repealed.

SEC. 4. All acts and parts of acts inconsistent herewith are hereby repealed.

Operative clause.

SEC. 5. This act shall go into effect from and after the first Monday in January, A. D. 1881.

AN ACT IN RELATION TO THE CITY MARSHAL OF THE CITY OF PROVIDENCE.

**Chapter 636**

of February 6, 1866.

SECTION 1. City marshal to continue in office until election of chief of police. 2. Chief of police, or his deputy, need	SECTION not furnish surety for costs in any prosecution. 3. Operative clause.
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*It is enacted by the General Assembly as follows :*

SECTION 1. The present city marshal of the city of Providence shall continue to hold and exercise the duties of his office until the election of a chief of police by the city council of said city, and no longer.

City marshal to act until election of chief of police.

SEC. 2. The said chief of police when elected by said city council, and in case of his death, absence or disability, his duly appointed deputy, shall not be required to furnish surety for costs in any prosecution which may be brought by either of them.

Chief of police or his deputy, need not furnish surety for costs.

SEC. 3. This act shall take effect on and after its passage ; and all acts and parts of acts inconsistent with it are hereby repealed.

Operative clause.

AN ACT CONCERNING THE APPOINTMENT OF WATCHMEN AND SPECIAL CONSTABLES IN THE CITY OF PROVIDENCE.

**Act of 1845**

January 16.

SECTION 1. Repealed.	SECTION 2. Special constables.
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*It is enacted by the General Assembly as follows :*

SECTION 1. [Repealed. See section 1, page 46.]

Repealed.

SEC. 2. The mayor or the board of aldermen of said city are authorized to appoint special constables for said city whenever in his or their opinion it may be expedient ; and such constables shall hold their offices for the day on which they are appointed and the two succeeding days ; but they shall not be required to give any bond, nor shall they be authorized to serve any civil process, but in all other matters they shall have the same power and authority as other constables.

Special constables.

**Chapter 693**  
of March 16, 1867.

AN ACT CONFERRING ADDITIONAL AUTHORITY UPON  
THE POLICE OFFICERS OF PROVIDENCE AND  
NEWPORT.

SECTION

1. Chief of police may enter certain  
houses ; with what powers.

SECTION

2. May command aid.

*It is enacted by the General Assembly as follows :*

Chief of police  
may enter certain  
houses, with what  
powers.

SECTION 1. The chief of police of the city of Providence, and the city marshal of the city of Newport, are hereby authorized and empowered to enter any house, place or building, in their respective cities, which they shall have reasonable cause to suspect is kept as a resort for persons of ill-fame, or lewd and dissolute persons, or persons of idle and disorderly character, or in which there shall be loud and disorderly noises, to the common disturbance of the neighborhood, or to which they shall have reasonable cause to suspect any female before reputed virtuous has been inveigled or enticed, and remains concealed therein, for the purpose of prostitution or lewdness, or to which unwary young men are inveigled or enticed or are accustomed to resort for the purpose of gambling or playing at any game or games of chance of any kind whatever for money or other valuable consideration ; and upon entering any such house, place or building, in their respective cities, they may command any persons found therein, reputed to be of the character aforesaid, or any persons therein being or assembled for any of the purposes aforesaid, forthwith to depart therefrom ; and in the event of the neglect or refusal of any such persons to obey such command, the said officers are hereby authorized, in their respective cities, to arrest such persons and hold them in custody for such time, not exceeding twenty-four hours, as may be necessary for their regular apprehension on complaint and warrant ; and every person who shall be convicted of neglecting or refusing to depart from any such house, place or building, when commanded as aforesaid, shall be fined not exceeding twenty dollars, or imprisoned not exceeding thirty days.

Penalty.

May command aid.

SEC. 2. Either of the officers named in the first section of this act may command aid in the execution of the authority therein conferred.

AN ACT GIVING THE RIGHT OF WAY TO THE AMBULANCES OF ANY CITY OR TOWN OR HOSPITAL CORPORATION.

Chapter 607  
of Feb. 21, 1899.

SECTION

1. Ambulance has right of way.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The ambulances of any city or town or hospital corporation, and any driver or person in charge of the same, while responding to or returning from an accident call, or while conveying any sick or injured person to any hospital or other place in any city or town, shall have the right of way in, upon and through any street, highway, lane, avenue or alley in such city or town ; and every person in or upon or owning or driving any vehicle in or upon any such street, highway, lane, avenue or alley, who shall wilfully or maliciously refuse the right of way to, or shall in any way wilfully or maliciously obstruct or retard, any such ambulance while in use as aforesaid, or any driver or person in charge of the same, shall be fined not exceeding twenty dollars.

Ambulance has right of way.

SEC. 2. This act shall take effect April first, A. D. 1899.

Operative clause.

AN ACT AUTHORIZING THE TOWN COUNCILS OF THE SEVERAL TOWNS AND THE CITY COUNCILS OF THE SEVERAL CITIES TO ISSUE CERTAIN LICENSES, CHARGE AND COLLECT FEES THEREFOR, AND PROVIDE PENALTIES.

Chapter 846  
of March 28, 1901.

SECTION

1. Peddlers in streets and public places may be licensed ; exemptions.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The town councils of the several towns and the city councils of the several cities are hereby authorized to provide by ordinance for the issuing of licenses to all

Peddlers in streets and public places, may be licensed.

persons selling or offering for sale any goods, wares, merchandise, ice cream or other articles or substances on the street, to all persons selling fruits or vegetables from carts or baskets, and to all hawkers and peddlers, in addition to the state licenses required by the provisions of Chapter 162 of the General Laws, and also for charging and collecting fees for such licenses, not to exceed fifty dollars for any one license for any one year, and also to fix by ordinance a penalty for selling or offering for sale any goods, wares, merchandise, ice cream, or other articles or substances on the street, and for selling or offering for sale fruits or vegetables from carts or baskets, and for selling or offering for sale any articles or substances as hawkers and peddlers within their town or city without such licenses: *provided, however,* that no fees shall be charged for licenses issued to any person selling religious books and publications in behalf of bible, tract, or other religious or moral societies for the purpose of promoting religious or moral improvement, and which are sold for that purpose and not for pecuniary profit, or to butchers retailing meats or fishermen selling fish or shell-fish from carts or otherwise, or to any person peddling or selling any tow-cloth, knit stockings, gloves, mits or other articles of household manufacture, or articles manufactured with his own hands, or to any person who shall receive a license from the general treasurer in accordance with the provisions of section 15 of Chapter 162 of the General Laws, as amended by Chapter 622 of the public laws, passed at the January session, A. D. 1899; *and provided further,* that this act shall not apply to milkmen, or to farmers selling the produce of their farms, or selling both the produce of their farms and the produce of other farms.

SEC. 2. Chapter 557 of the public laws, passed at the January session, A. D. 1898, and Chapter 727 of the public laws, passed at the January session, A. D. 1900, and all other acts and parts of acts inconsistent herewith are hereby repealed; and this act shall take effect from and after its passage: *provided,* that this act shall not affect any licenses already granted under ordinances made by authority of said Chapters 557 and 727.

License fees.

Exemptions from fees.

Exemptions from licenses.

Operative clause.



AN ACT CONCERNING DEALERS IN JUNK AND SECOND-HAND ARTICLES IN THE CITY OF PROVIDENCE.

Chapter 871

of March 8, 1901.

SECTION

1. Board of aldermen may license dealers in junk and second-hand articles.
2. City council may make ordinances relative to junk and second-hand articles.

SECTION

3. City council may provide penalties for violation of such ordinances.
4. Junk act of 1853 repealed.
5. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The board of aldermen of the city of Providence may license such persons as they deem suitable to purchase, sell, barter and deal in junk, old metals and any second-hand articles, and may revoke such licenses at their pleasure. Said licenses shall be granted subject to such conditions and restrictions, for such term not exceeding one year, and on the payment of such fees, as shall be prescribed by ordinance of the city council of said city.

Board of aldermen may license dealers in junk and second-hand articles.

SEC. 2. Said city council shall have power to make ordinances relative to the business of purchasing, selling, bartering and dealing in junk, old metals and second-hand articles, and to prescribe the conditions and restrictions under which such business may be carried on, and to fix the amount of fees to be paid for license to be issued by the board of aldermen for carrying on such business, and to fix the term of such licenses for any period not exceeding one year from the time of their issue.

City council may make ordinances relative to junk and second-hand articles.

SEC. 3. Said city council shall have power to provide by ordinance penalties for carrying on such business without such license, or in violation of any ordinance made under the provisions of section two of this act, not exceeding for any one offence a fine of two hundred dollars, or imprisonment not exceeding six months.

Penalties.

SEC. 4. An act entitled "An act regulating the sale of junk and other second-hand articles," passed at the January session, A. D. 1853, is hereby repealed: *provided*, that all licenses granted under said act shall remain in force for the term for which they were respectively granted, unless sooner revoked by the board of aldermen of said city.

Junk act of 1853 repealed.

SEC. 5. This act shall take effect upon its passage.

Operative clause.

**Act of 1833**

November 2.

AN ACT TO AUTHORIZE THE CITY OF PROVIDENCE  
TO ESTABLISH A HOUSE OF CORRECTION, AND FOR  
OTHER PURPOSES.

## SECTION

1. City authorized to establish house of correction.
2. Keeper of house of correction.
3. Other officers; removal from office; officers to be sworn.
4. Regulation of house of correction.
5. Commitments; form, service, and record.
6. Habeas corpus.
7. Commitments, by whom and for what offences; treatment of prisoners to be according to the terms of sentence; solitary imprisonment restricted.

## SECTION

8. City to pay for support of prisoners in jail.
9. Board of aldermen powers.
10. Vagrants.
11. Disorderly persons.
12. Vagrants and disorderly persons may be imprisoned.
13. Drunkenness.
14. Power of board of aldermen to liberate persons committed by their order.
15. Power of mayor or board of aldermen to liberate persons committed by sentence of court.

City may establish  
house of correction.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted,* That it shall and may be lawful for the city of Providence to establish and maintain a house of correction within the limits of said city; in which said house of correction shall be confined all persons who may be legally committed thereto, as hereinafter provided.

Keeper of house of  
correction.

SEC. 2. *And be it further enacted,* That the city council of said city of Providence be and they are hereby authorized and empowered to elect a keeper of said house of correction, at the time when said house shall be first established by virtue of this act; and afterwards a keeper of said house shall be elected by said city council at every annual election of city officers, and oftener in case of vacancy. And it shall be the duty of the keeper of said house, in addition to such others as may from time to time be prescribed to him by said council, to present to the supreme judicial court, upon the second day of every term thereof which shall be holden within and for the county of Providence, a list of all persons in his custody within said house of correction; which list shall specify the several dates and causes of the commitment of such persons, the tribunal by which they were ordered to be confined and the time for which they were respectively committed.

SEC. 3. *And be it further enacted,* That the city council aforesaid shall have power to appoint, from time to time, besides a keeper of said house of correction, such other officer or officers thereof as they, the said council, may deem expedient; and the same, as well as said keeper, to remove at any time by concurrent vote, two-thirds of the members present of each board voting in the affirmative; and all said officers shall be duly sworn or affirmed to the faithful discharge of the duties of their respective offices.

Other officers.

Removal.

Officers to be sworn.

SEC. 4. *And be it further enacted,* That the city council aforesaid be and they are hereby authorized to make, ordain and establish, from time to time, all such by-laws, ordinances, rules and regulations for the government of said house of correction, and the persons committed thereto, as said council may deem needful and proper: *provided,* that said by-laws, ordinances, rules and regulations be not repugnant to the laws of this state.

Regulation of the house of correction.

SEC. 5. *And be it further enacted,* That every commitment to said house of correction shall be by precept in writing; which precept, in all cases not otherwise provided for by law, shall be executed by the city marshal, the city sergeant, or some one of the constables of said city; and each commitment shall be entered by the officer making the same in a book to be provided by said city, and kept at said house for that purpose.

Commitments; form, service and record.

SEC. 6. *And be it further enacted,* That said house of correction shall be deemed a common jail, and the keeper thereof an officer, so far as to render applicable thereto, as such, the provisions of the act of the general assembly entitled "An act directing the process upon writs of habeas corpus."

Habeas corpus.

*For act referred to, see Digest of 1822, p. 180.*

SEC. 7. *And be it further enacted,* That the mayor, the board of aldermen, the municipal court, the police court, and any one or more of the justices of the peace for said city, be and they hereby are severally authorized and empowered to commit to the state's jail in the county of Providence, until said house of correction shall be established, and afterwards to commit, at their discretion, either to said jail or to said house of correction, all persons whom by this

Commitments, by whom and for what offences.

*For act referred to, see schedule, October session, 1831, p. 21.*

Treatment of the prisoners to be according to the terms of sentence.

Solitary imprisonment without labor, is not to exceed ten days.

City to pay for the support of prisoners in jail.

Board of aldermen powers.

act, by the act of the general assembly entitled "An act to incorporate the city of Providence," or by any present or future ordinance of the city council of said city passed in pursuance of the provisions of said last mentioned act, they, the said mayor, board of aldermen, municipal court, police court and justices of the peace, now are or hereafter may be authorized to commit or order to be committed to prison. And the several persons who may be committed to the house of correction aforesaid shall be kept therein at hard labor either in solitary confinement or otherwise; or shall be kept in solitary confinement without labor; or shall suffer solitary imprisonment without labor for a part of the time for which they shall be committed, and be afterwards kept at hard labor, either in solitary confinement or otherwise, for the remainder of said term, as shall be prescribed in and by the respective sentences or orders by force of which such persons shall be so committed. And the several tribunals and magistrates aforesaid are hereby required to specify in and by their said sentences and orders, as well the mode as the duration of imprisonment: *provided, however,* that no person shall be condemned to solitary imprisonment without labor for a longer period than ten days for any one offence.

SEC. 8. *And be it further enacted,* That the city of Providence shall be liable to pay to the jailer of the county of Providence, for the time being, such sum for the weekly support of each and every person committed to the jail in said county, under and by virtue of any of the provisions of this act, as shall be allowed and paid by the state, from time to time, for the weekly support of each state prisoner in said jail.

SEC. 9. *And be it further enacted,* That the board of aldermen of said city be and they hereby are authorized to order any person who shall appear, upon examination before said board, to have no legal settlement within this state, and who shall be adjudged by said board to be an unsuitable person to become an inhabitant of said city, to depart from and out of said city within such time as said board shall appoint; and in case any such person shall not depart from said city within the time specified in such order,

or shall at any time after the expiration of said specified period be found within said city without permission first had and obtained from said board of aldermen, and in case any person legally removed from said city by order of removal shall return thereto without permission first had and obtained from said board of aldermen, said board of aldermen are further authorized and empowered to commit every such person to prison for a term not exceeding three months : *provided, nevertheless*, that nothing in this act contained shall be construed to prevent said board of aldermen from proceeding under and according to the act of the general assembly entitled "An act in amendment of an act entitled 'An act providing for the relief, support, employment and removal of the poor,'" in any case wherein they may deem it expedient, in the same manner and to the same effect as if this act had not been passed.

May proceed under general law.

*For act referred to see schedule, October session, 1826, p. 36 ; but see act of June session, 1838, p. 5.*

SEC. 10. *And be it further enacted*, That all persons who, being habitual drunkards, are destitute and without visible means of support, or who, being such habitual drunkards, shall abandon, neglect or refuse to aid in the support of their families, and shall be complained of by such families ; all common prostitutes who have no lawful employment whereby to maintain themselves ; all idle persons who, being of doubtful reputation and having no visible means to maintain themselves, live without employment ; all able-bodied or sturdy beggars who may apply for alms or solicit charity ; all persons wandering abroad, lodging in watch-houses, out-houses, market-places, sheds, stables or uninhabited buildings, or in the open air, and not giving a good account of themselves ; and all persons who go about from door to door, or place themselves in the streets, highways, passages or other public places within the said city of Providence, to beg or receive alms, shall be deemed vagrants.

Vagrants.

SEC. 11. *And be it further enacted*, That all persons who may have actually abandoned their wives or children in said city of Providence without adequate support, leaving them in danger of becoming a charge upon the public, or who may neglect to provide according to their means for the support of their wives or children ; all common prostitutes ;

Disorderly persons.

all keepers of bawdy houses, or houses for the resort of prostitutes, drunkards, tipplers, gamesters or other disorderly persons; all persons who keep in any public street, highway or other public place, or in any house, out-house or other building, or in any yard, garden or other place possessed, occupied or used by them, any cards, dice-tables, bowls, wheel of fortune or other tables, box, machine or device for the purpose of gaming; all persons who go about with such table, wheel or other machine or device, exhibiting tricks or gaming therewith; all persons who play in any public street, highway or other public place, with cards, dice or any other instrument or device for gaming; all jugglers, common showmen and mountebanks who exhibit or perform for profit any puppet-show, wire or rope dance, or other idle shows, acts or feats in the public streets, highways or other public places; and all itinerant musicians who perform in the public streets, highways or other public places, shall be deemed disorderly persons.

Vagrants or disorderly persons may be imprisoned.

SEC. 12. *And be it further enacted,* That any person who shall be convicted, before any one or more of the justices of the peace for said city of Providence, of being a vagrant, or a disorderly person, may be committed to prison by the magistrate or magistrates before whom he or she shall be so convicted, for a term not exceeding three months.

Drunkenness.

Act of 1878, Ch. 686.

This penalty (possibly changed by the act of 1887, chap. 634) was restored by act of 1887, chap. 638.

SEC. 13. *And be it further enacted,* That any person who shall be found intoxicated under such circumstances as shall amount to a violation of decency, shall be fined for such offence in a sum not exceeding five dollars; and in default of payment of such fine, together with the costs of prosecution, such person shall be imprisoned in the Providence county jail until said fine and costs shall be paid: *provided, however,* that such person shall not be imprisoned for a longer term than thirty days for any one default.

Power of board of aldermen to liberate persons committed by their order.

SEC. 14. *And be it further enacted,* That it shall and may be lawful for the board of aldermen of said city to liberate and discharge at their discretion, any person committed to prison by order of said board, before the expiration of the time for which such person shall have been committed, upon such conditions as said board may think proper; and in



case any person so liberated shall fail to fulfill the conditions prescribed, said board may recommit said person to prison for and during the remaining portion of the term of confinement originally ordered.

SEC. 15. *And be it further enacted,* That it shall be lawful for the mayor, or the board of aldermen, of the city of Providence, to liberate and discharge, at his or their discretion, any person committed to prison for the violation of any ordinance passed by the city council of said city, or who shall be committed by any one or more of the justices of the peace for said city, under and by virtue of any of the provisions of this act, notwithstanding the time for which such person shall have been committed may not have expired, upon such conditions as said mayor or board of aldermen may deem proper; and in case any person so liberated shall fail to fulfill the conditions by said mayor or board of aldermen prescribed, the court, magistrate or magistrates, by whose sentence such person may have been originally committed, shall, upon due proof of such failure, recommit such person to prison for and during the remaining portion of the term of confinement originally ordered.

Power of mayor or board of aldermen to liberate persons committed by sentence of court.

Act of October, 1843.

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AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO RESTRAIN CERTAIN ANIMALS FROM GOING AT LARGE.

**Act of 1845**

January 16.

SECTION

1. Animals at large.

SECTION

2. Forfeiture of swine at large.

*It is enacted by the General Assembly as follows :*

SECTION 1. From and after the passing of this act, the city of Providence shall have full power to enact ordinances and regulations prohibiting horses, cattle, sheep, hogs, goats and geese from going at large within the limits of said city; and to inflict such penalties and fines for the breach of such ordinances and regulations as they are authorized to inflict by the provisions of an act entitled "An act to incorporate the city of Providence."

Animals at large.

*For act referred to see schedule, October session, 1831, p. 21.*

Forfeiture of swine at large.

SEC. 2. The said city of Providence shall also have authority to declare all swine found running at large within the limits of said city to be forfeited to and for the use of the poor of said city, or of such persons as may be authorized to seize the same.

**Chapter 458**

of March 14, 1863.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO RESTRAIN CERTAIN ANIMALS FROM GOING AT LARGE."

Animals feeding or grazing in the highway to be deemed to be "going at large."

*It is enacted by the General Assembly as follows :*

Animals feeding or grazing in highway to be deemed to be "going at large."

SECTION 1. Any horse, cattle, geese, sheep, hogs and goats which shall feed or graze in or upon any of the highways within the limits of the city of Providence, shall be deemed and held to be "going at large," within the meaning and intention of the act of which this act is in amendment.

**Chapter 988**

of April 26, 1872.

AN ACT IN RELATION TO CATTLE GOING AT LARGE IN THE CITY OF PROVIDENCE.

SECTION

- 1. Animals at large without permission of the mayor.

SECTION

- 2. Penalty.
- 3. Operative clause.

*It is enacted by the General Assembly as follows :*

Animals at large without permission of the mayor.

SECTION 1. No owner or person having charge of any neat cattle or swine shall permit the same to go at large, loose or unfastened, in any street or highway in the city of Providence, between the hours of five o'clock in the forenoon and twelve o'clock at night, except by special permission of the mayor of said city.

SEC. 2. Any person violating any of the provisions of this act shall pay a fine of twenty dollars for each animal so going at large as aforesaid.

Penalty.

SEC. 3. This act shall take effect immediately upon its passage.

Operative clause.

AN ACT RELATIVE TO THE STORAGE OF COTTON WASTE IN THE CITY OF PROVIDENCE.

Act of 1847

June 25.

SECTION  
1. Storage of cotton waste.

SECTION  
2. Penalty.

*It is enacted by the General Assembly as follows :*

SECTION 1. No cotton waste shall be stored within the compact part of the city of Providence, as defined by the board of aldermen of said city under "An act relating to theatrical exhibitions and places of amusement," without permission from said board of aldermen.

Storage of cotton waste.

*For act referred to, see Digest of 1844, p. 352, sec. 6.*

SEC. 2. If any cotton waste shall be hereafter stored within such compact part of said city, without the permission aforesaid, the occupant of the building in which it may be stored, and the owner of such waste, shall each forfeit and pay a fine of fifty dollars for every such offence, one half thereof to and for the use of the state, and one half thereof to and for the use of the complainant; to be recovered by indictment in any court proper to try the same.

Penalty.

AN ACT TO REGULATE THE STORAGE, KEEPING AND SALE OF FIRE WORKS IN THE CITY OF PROVIDENCE.

Chapter 520

Of May 28, 1885.

SECTION  
1. Keeping and sale of fireworks.  
2. Regulation by board of aldermen.  
3. License may be for what term; may be revoked.

SECTION  
4. Fee for license.  
5. Penalty.  
6. Operative clause; repeal of Chapter 312, of March 27, 1873.

*It is enacted by the General Assembly as follows :*

SECTION 1. No person shall keep or sell any fireworks in the city of Providence without first having obtained from the board of aldermen of said city a license therefor, signed by the clerk of said board, upon which shall be printed a copy of the rules made by said board relative to the storage, keeping and sale of fireworks in said city.

Keeping and sale of fireworks.

Regulation by board  
of aldermen.

SEC. 2. Said board of aldermen are hereby authorized, from time to time, to make rules and regulations relative to the storage, keeping and sale of fireworks in said city, and, in their discretion, to grant or refuse to grant license to keep and sell fireworks in said city.

License may be for  
what term.

SEC. 3. Every license so granted shall continue in force for such length of time as said board of aldermen may determine, not longer, however, than the municipal term of office of the board granting the same: *provided, however,* that the said board of aldermen may at any time revoke any such license.

May be revoked.

Fee for license.

SEC. 4. Every person licensed by said board of aldermen, as aforesaid, shall pay to the clerk of said board for such license the sum of two dollars for the use of said city.

Penalty.

SEC. 5. Any person who shall violate any of the provisions of this act, or any of the rules and regulations established by said board of aldermen, shall pay a fine of twenty dollars for each offence.

Operative clause.

SEC. 6. This act shall take effect on its passage; and Chapter 312 of the public laws, passed January, 1873, is hereby repealed.

## Act of 1821

October 30.

### AN ACT REGULATING THE STORAGE, SAFE-KEEPING AND TRANSPORTATION OF GUNPOWDER IN THE TOWN OF PROVIDENCE.

#### SECTION

1. Limitation on the keeping of gunpowder.
2. No person to sell gunpowder without license from town council.
3. Penalty for illegal keeping, transporting or selling gunpowder.
4. Gunpowder may be seized by the firewards, and may be libelled and adjudged to be forfeited.
5. Penalty for rescuing gunpowder.
6. Firewards may examine places where gunpowder is sold; and in case of fire, may remove or destroy gunpowder. May obtain search-warrants for gunpowder.
7. Party injured by explosion of gunpowder, kept contrary to this act, may recover damages.

#### SECTION

8. Restrictions on vessels with gunpowder on board.
9. Gunpowder to be landed or shipped at place designated by the town council.
- 10, 11. Transportation of gunpowder in town.
12. Transportation in boats.
13. Application for license to keep and sell gunpowder.
14. Retail dealers in gunpowder.
15. Wholesale dealers in gunpowder.
16. All dealers to display a sign.
17. Gunpowder may be kept in places designated by the town council.
18. Penalties, how to be recovered.
19. Act of June, 1802, repealed.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted,* That no person except on military duty in the public service of the United States, or of this state, shall keep, have or possess in any house, warehouse, shop or other building, nor in any street, lane, alley, passageway, yard or cellar, nor in any wagon, cart or other carriage, nor on any wharf, nor on board of any ship or other vessel, nor in any place within the town of Providence, gunpowder in any quantity exceeding five pounds, in any way or manner other than by this act may be permitted and allowed; and all gunpowder had, kept or possessed, contrary to the provisions hereof, shall be forfeited, and liable to be seized and proceeded against in the manner herein-after provided.

Limitation on keeping of gunpowder.

SEC. 2. *And be it further enacted,* That it shall not be lawful for any person or persons to sell any gunpowder which may at the time be within the town of Providence, in any quantity, by wholesale or retail, without first having obtained from the town council of said town a license to sell gunpowder; and every such license shall be written or printed, and signed by the president of said council or their clerk, on a paper upon which shall be written or printed a copy of this act; and every such license shall be in force for one year from the date thereof, unless annulled by said council, and no longer; but such license may, prior to the expiration of that time, be renewed by endorsement thereon for a further term of one year, and so from year to year: *provided always,* that the said town council may annul any such license, if in their opinion the person or persons licensed have forfeited the right of using the same by any violation of the law relative thereto; and every person who shall receive a license as aforesaid shall pay therefor the sum of five dollars, and on having the same renewed shall pay therefor the sum of one dollar, which shall be paid to the clerk of said council for their use, for the purposes of defraying the expenses of carrying this act into execution.

Sale of gunpowder.

Form of license.

Term of license.

License may be annulled.

Fee for license.

SEC. 3. *And be it further enacted,* That any person or persons who shall keep, have, possess, or transport any gunpowder within the town of Providence, contrary to the pro-

Penalty for illegal keeping, transporting or selling gunpowder.

Penalty if the gunpowder explodes.

visions of this act, or who shall sell any gunpowder therein without having a license therefor, then in force, shall forfeit and pay a fine of not less than twenty dollars, and not exceeding five hundred dollars, for each and every offence; and if any gunpowder kept contrary to the provisions of this act shall explode in any shop, store, dwelling-house, warehouse or other building, or in any place in said town, the occupant, tenant or owner of which has not a license in force to keep and sell gunpowder therein, or which gunpowder shall have been kept in any manner contrary to the terms and conditions of such license, such occupant, tenant or owner shall forfeit and pay a fine of not less than twenty dollars, nor more than five hundred dollars.

Gunpowder may be seized by firewards.

SEC. 4. *And be it further enacted*, That all gunpowder which shall be kept, had or possessed within the town of Providence, or brought into it or transported through the same, contrary to the provisions of this act, may be seized and taken into custody, by any one or more of the firewards of said town; and the same shall, within ten days next after the seizure thereof, be libelled by filing in the office of the clerk of the court of common pleas, within and for the county of Providence, a libel stating the time and place and cause of such seizure; a copy of which libel, or the substance thereof, together with a summons or notice, which such clerk is hereby authorized to issue, shall be served on the person or persons from whose custody or possession, or in whose tenement, such gunpowder shall have been seized, if such person or persons be an inhabitant or inhabitants of this state, by delivering a copy thereof to such person or persons, or leaving such copy at his, her or their usual place of abode, twenty days at least before the sitting of the court at which the same is to be heard, that such person or persons may appear and show cause why the gunpowder so seized and taken shall not be adjudged forfeit; and if the gunpowder so seized shall be adjudged forfeit, the person or persons in whose custody or possession the same was seized, or the occupant or tenant of the place wherein the same was seized, shall pay all costs of prosecution, and execution shall be issued therefor, provided it appear that

May be libelled.

May be forfeited.



such person or persons had due notice of such prosecution, by service as aforesaid; and in case the person or persons in whose custody or possession, or in whose tenement, such gunpowder may be seized, shall be unknown to the fireward or firewards making such seizure, or in case such gunpowder at the time of seizure may not be in the custody or possession of any person, or if it shall appear by the return of the officer that such person or persons cannot be found, or has no known place of abode in this state, then said court shall and may proceed to adjudication thereon; and such libel or summons; and also such writ of execution for costs, shall and may be served and executed in any county in this state, by any officer competent to execute civil process in like cases.

SEC. 5. *And be it further enacted,* That any person or persons who shall rescue or attempt to rescue any gunpowder seized as aforesaid, or shall aid or assist therein, or who shall counsel or advise or procure the same to be done, or who shall molest, hinder or obstruct any fireward in such seizure, or in carrying gunpowder so seized to a place of safety, shall forfeit and pay a fine for each offence of not less than twenty dollars and not exceeding five hundred dollars; and it is hereby made the duty of all magistrates, civil officers, and of all good citizens of said town, in their respective stations, and as far as they may be required, to aid and assist such fireward or firewards in executing the duties hereby required.

Penalty for rescue of gunpowder.

SEC. 6. *And be it further enacted,* That the said firewards, or any of them, may enter the store or place of any person or persons licensed to sell gunpowder, to examine and ascertain whether the laws relating thereto are strictly observed; and also, whenever there may be an alarm of fire; and in such last case, may cause the powder there deposited to be removed to a place of safety, or to be destroyed by wetting or otherwise, as the exigency of the case may require; and it shall be lawful for any one or more of the firewards aforesaid to enter any dwelling-house, store, building or other place in said town to search for gunpowder which they may have reason to suspect to be concealed

Firewards may examine places in which gunpowder is sold: and in case of fire, may remove or destroy gunpowder.

Search-warrants. or unlawfully kept therein, first having obtained from some justice of the peace of said town a search-warrant therefor, which warrant any one of the justices of said town is hereby respectively authorized to issue, upon the complaint of such fireward or firewards, supported by his or their oath or affirmation.

Right of action for damages resulting from explosion.

SEC. 7. *And be it further enacted,* That any person who shall suffer injury by the explosion of any gunpowder had, kept or transported within the town of Providence, contrary to the provisions of this act, may have an action of the case, in any court proper to try the same, against the owner or owners of such gunpowder, or against any other person or persons who may have had the custody or possession of the same at the time of the explosion thereof, to recover reasonable damages for the injury thus sustained.

Restrictions on vessels having gunpowder on board.

SEC. 8. *And be it further enacted,* That no ship or other vessel on board of which gunpowder shall be laden, shall lie at any wharf in the town of Providence, nor at any place north of India Point channel within said town.

Gunpowder to be landed or shipped at place designated by town council.

SEC. 9. *And be it further enacted,* That when any gunpowder shall be landed in the town of Providence, from on board any ship, boat or other vessel, the same shall and may be brought to and landed at such place or places as may be designated by the town council of said town; and when any gunpowder shall be intended to be laden on board of any ship or vessel lying in the harbor of Providence, the same shall and may be brought to and delivered and laden from such place or places as may be designated as aforesaid; and no gunpowder shall be landed at, or shipped from, any other wharf or place in said town, nor detained an unnecessary length of time at said wharf or place.

Transportation of gunpowder.

SEC. 10. *And be it further enacted,* That all gunpowder which shall be transported through said town, to whatever place it may be destined, shall be put into strong leather bags, closely tied, and on which shall be painted in Roman capitals the word GUNPOWDER, and shall so remain in said bags whilst it is within the bounds of said town, and shall not be suffered to remain a longer time than is necessary in the boat or carriage in which it may be transported: *pro-*

*vided, however,* that said bags may be taken off whenever said powder shall be deposited in some magazine, as hereinafter designated.

SEC. 11. *And be it further enacted,* That all gunpowder transported through said town, except when carried by hand, shall be conveyed in a cart, wagon or other carriage closely covered with leather or canvas, marked as aforesaid with the word GUNPOWDER in some conspicuous place thereon, excepting, however, that a quantity of gunpowder, not exceeding in the whole four casks of twenty-five pounds each, may be received and put into any cart or wagon which is to pass through any part of the town on its way to the country: *provided,* that each cask shall be put into a leather bag, closely tied up and marked as aforesaid, and so remain until without the bounds of said town.

Same subject.

SEC. 12. *And be it further enacted,* That all boats employed in transporting gunpowder shall have the casks of powder covered with canvas, and shall have a red flag displayed in the bow or stern of the boat, so long as any powder remains on board.

Transportation in boats.

SEC. 13. *And be it further enacted,* That all persons who wish to have a license to keep and sell gunpowder within the town, shall make application to the town council in writing, stating their place of business, and whether they wish to sell by wholesale or retail, or both; and to each person or firm who may be approbated, a certificate of license shall be granted on payment of the fee established by law.

Applications for licenses to keep and sell gunpowder.

SEC. 14. *And be it further enacted,* That every person or firm who may be licensed to sell gunpowder by retail, shall be allowed to keep in the place or building designated in the license, twenty-five pounds of gunpowder, and no more at one time, which shall always be kept in tin or copper canisters, capable of containing no more than twelve and a half pounds each, with a small aperture at the top, and a tin or copper cover thereto.

Retail dealers in gunpowder.

SEC. 15. *And be it further enacted,* That every person or firm who may be licensed to sell gunpowder by wholesale, shall provide and keep a tin or copper chest, with two

Wholesale dealers in gunpowder.

handles and a tight cover, furnished with a hinge and secured with a padlock, all of tin or copper ; such chest shall always be kept on the lower floor, on the right side of and close to the principal door or entrance from the street into the building so licensed, except when otherwise designated by the council, and shall always be kept locked, except when powder is put in or taken out ; and such person or firm, so licensed, shall be allowed to deposit and keep, in such tin or copper chest, a quantity of gunpowder not exceeding four casks of twenty-five pounds each ; the heads of each cask not to be opened, and each cask to be kept in a strong leather bag, closely tied and marked as aforesaid.

Dealers to display  
a sign.

SEC. 16. *And be it further enacted*, That every person or firm licensed to keep and sell gunpowder as aforesaid, by wholesale or retail, shall have and keep a sign-board placed over the door or building in which such powder is kept, on which shall be painted in Roman capitals the words LICENSED TO SELL GUNPOWDER.

Gunpowder may be  
kept in places design-  
ated by town coun-  
cil.

SEC. 17. *And be it further enacted*, That no gunpowder shall be kept, otherwise than as before provided for licensed dealers, at any place within the town of Providence, except in such place or places, and in such buildings, as may be designated by the town council thereof.

Penalties, how to be  
recovered.

SEC. 18. *And be it further enacted*, That all fines, penalties and forfeitures, except otherwise herein prescribed, which may arise and accrue under the provisions of this act, shall and may be prosecuted for and recovered by indictment or action of the case, in any court of competent jurisdiction ; one half thereof to and for the use of the poor of said town, to be paid over to the treasurer thereof, and one half to and for the use of any person or persons who may prosecute or sue for the same ; and this act shall be deemed and taken to be a public act, and shall and may be proceeded on as such.

Act of June, 1802,  
repealed.

SEC. 19. *And be it further enacted*, That the act entitled "An act relative to the keeping of gunpowder in the town of Providence," be and the same is hereby repealed : *provided, however*, that the same shall continue in force for the purpose of prosecuting all offences which may have been committed prior to the passing hereof.

## AN ACT REGULATING THE STORING OF LIME IN THE TOWN OF PROVIDENCE.

Act of 1805

February 26,

## SECTION

1. Storage of stone-lime in buildings, below highest tide-water mark, prohibited.

## SECTION

2. Penalty in case of fire resulting from unlawful storage.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted,* That it shall not be lawful to deposit stone-lime on any floor, platform or ground, within any store or other building in the town of Providence, below the highest tide-water mark; and in case any lime shall be deposited contrary to the true intent and meaning hereof, the town council of said town are hereby empowered to order such lime to be forthwith removed, by the owner or occupant of such store, or owner of such lime; and in case the owner or occupant of such store, or owner of such lime, shall refuse or neglect, for the space of twenty-four hours after notice of such order, to remove such lime, he, she or they so offending shall be liable to pay, to and for the use of said town, a fine not exceeding forty dollars; and said town council shall and may cause the same to be forthwith removed, and may cause so much of said lime to be sold at public auction as will be sufficient to defray the expenses of such removal.

SEC. 2. *And be it further enacted,* That in case any damage shall happen by fire by the storing of lime contrary to the true intent and meaning of this act, the occupant of the store or building in which such lime shall be stored shall be liable to and pay a fine not exceeding five hundred dollars, to and for the use of said town.

Storage of lime

Order for removal,

Penalty for neglect to remove.

Penalty in case of fire resulting from unlawful storage.

## AN ACT REGULATING THE PILING OF LUMBER AND WOOD WITHIN CERTAIN LIMITS IN PROVIDENCE.

Act of 1831

November 2,

Lumber and wood not to be piled higher than thirteen feet within certain limits.

*Be it enacted by the General Assembly, and by the authority thereof it is enacted,* That from and after the rising of this general assembly, no person shall pile or cause to be piled, or aid or assist in piling, or within his or her possessions,

Lumber and wood not to be piled higher than thirteen feet within certain limits

*For these limits, see sec. 3 of the act referred to below.*

suffer or permit to be or to remain piled, any boards, planks, shingles, timber, clapboards or other lumber, or any wood, in any pile or heap to a greater height than thirteen feet, in any place in the town of Providence, within the limits within which the erection of wooden buildings exceeding in height thirteen feet is now prohibited by law. And every person offending against any of the provisions of this act shall be subject to the same fine, forfeiture and penalties, to be recovered in the same manner, as provided in and by the fourth section of the act entitled "An act to prevent erecting wooden buildings in certain parts of the town of Providence." \*

*\* Section 4 of this act, passed October 31, 1817, (see October session, page 36; Digest of 1822, page 471), is as follows :*

Penalty, and how to be recovered.

"SEC. 4. *And be it further enacted,* That every person who shall erect or add to or cause to be erected or added to any building in said town of Providence, contrary to the true intent and meaning and against the provisions of this act, shall forfeit and pay a fine of not less than fifty dollars nor more than five hundred dollars, according to the nature and aggravation of the offence; to be recovered by information in the supreme judicial court, which it shall be the duty of the attorney-general to file in all cases which may come to his knowledge, or by indictment before said court."

**Chapter 501**  
of April 24, 1885.

AN ACT IN AMENDMENT OF CHAPTER 598 OF THE PUBLIC LAWS, PASSED AT THE JANUARY SESSION, A. D. 1866, ENTITLED "AN ACT TO REVISE, CONSOLIDATE AND AMEND AN ACT ENTITLED 'AN ACT TO INCORPORATE THE CITY OF PROVIDENCE,' AND OF THE SEVERAL ACTS IN AMENDMENT THEREOF AND IN ADDITION THERETO."

SECTION

- 1. Regulation of bootblacks, newsboys and street venders.
- 2. Penalty.

SECTION

- 3. Exception of certain venders.
- 4. Operative clause.

*It is enacted by the General Assembly as follows :*

Regulation of bootblacks, newsboys and street venders.

SECTION 1. The board of aldermen of the city of Providence may make rules, regulations, orders and restrictions concerning bootblacks, newsboys, hucksters, street venders, hawkers and peddlers carrying on their vocations as such respectively within said city. Said board of aldermen may



also make rules, regulations, orders and restrictions concerning the method and manner of carrying on of either or all of said vocations, and the places where the same may be carried on, and concerning the conduct of the persons carrying on the said or either of the said vocations, as it may deem proper, and may from time to time alter, amend or add to such rules, regulations, orders and restrictions.

SEC. 2. Whoever shall violate any of the rules, regulations, orders or restrictions made by the said board of aldermen, pursuant to the authority given by the preceding section, shall be fined not exceeding twenty dollars or be imprisoned not exceeding ten days.

Penalty.

SEC. 3. Nothing herein contained shall be deemed to affect hawkers and peddlers selling under a state license, or any person selling religious books and publications in behalf of bible, tract or other religious or moral societies for the purpose of promoting religious or moral improvement, and which are sold for that purpose and not for pecuniary profit; or butchers retailing meats from carts, or persons retailing from carts or baskets fruits or vegetables grown in the state, or any person selling any article manufactured with his own hands, or any article of household manufacture.

Exception of certain vendors.

SEC. 4. All acts and parts of acts inconsistent herewith are hereby repealed; and this act shall take effect on and after its passage.

Operative clause.

AN ACT IN AMENDMENT OF CHAPTER 598 OF THE STATUTES, ENTITLED "AN ACT TO REVISE, CONSOLIDATE AND AMEND THE ACT ENTITLED 'AN ACT TO INCORPORATE THE CITY OF PROVIDENCE,' AND THE SEVERAL ACTS IN ADDITION THERETO AND IN AMENDMENT THEREOF."

**Chapter 685**

of April 12, 1878.

- SECTION
1. Appointment of constables to serve civil process.
  2. Vacancies may be filled.
  3. Revocation of appointments.

- SECTION
4. Powers of constables.
  5. Appointments until January, 1879.
  6. Inconsistent acts repealed.

*It is enacted by the General Assembly as follows:*

SECTION 1. The board of aldermen of the city of Providence shall, in the month of January of each year, appoint

Appointment of constables to serve civil process.

constables, not exceeding ten in number, who shall hold office for the term of one year from the time of appointment and until their successors are elected and qualified; and every such constable so appointed shall before entering upon the duties of his office, execute and deliver a bond to the treasurer of said city, with at least two sureties, to be approved by said board of aldermen, in the sum of two thousand dollars, for the due and faithful execution of his office according to law.

Vacancies.

SEC. 2. In case of death, resignation or removal of any constable, said board of aldermen may fill by appointment any such vacancy so made for the balance of the time for which such constable, so dead, resigned or removed, was appointed; and such appointee shall give like bond as is required in section one of this act.

Revocation.

SEC. 3. The board of aldermen shall have power to revoke any appointment of constable made as aforesaid after due hearing.

Powers of constables.

SEC. 4. Constables in the city of Providence shall have and possess all the powers and be subject to all the liabilities now given or imposed upon constables by law, except as hereinafter limited. No constable appointed in any other town of this state shall have power to serve any civil process in the city of Providence, except such process shall be issued by a court or magistrate outside of said city, or the party plaintiff or defendant, or some one of them, shall reside without said city. Constables appointed under this act shall not serve any civil process outside of the city of Providence, except such process shall issue from a court or magistrate in the city of Providence, or the party plaintiff or defendant, or some one of them, shall reside in said city.

Appointments until  
January, 1879.

SEC. 5. The board of aldermen of said city may appoint constables, not exceeding ten in number, who shall hold office until the appointment of constables in January, A. D. 1879, and such appointees shall give like bond as is required in the first section of this act.

Inconsistent acts  
repealed.

SEC. 6. All acts and parts of acts inconsistent herewith are hereby repealed.

## FIRE DEPARTMENT.

### AN ACT IN RELATION TO THE FIRE DEPARTMENT OF THE CITY OF PROVIDENCE.

### Chapter 654

of February 5, 1867.

SECTION

1. City council to elect three presidents of fire department; chief engineer to be one; their powers and duties.

SECTION

2. Damages for blowing up buildings, how to be paid.
3. Repeal of certain acts, and all acts inconsistent herewith.

*It is enacted by the General Assembly as follows:*

SECTION 1. The city council of the city of Providence shall annually elect three competent and judicious citizens, of whom the chief engineer of the fire department of said city for the time being shall always be one, who shall be styled presidents of the fire department, and who shall be severally empowered to give directions, and to see that the same are carried into execution, for the pulling down or blowing up of any building or buildings which shall be adjudged by them, or either of them, proper to be pulled down or blown up to prevent the spreading of any fire in said city. Said presidents of the fire department so elected shall also have all the powers and exercise all the duties conferred or imposed upon firewards in and by an act, entitled "An act regulating the storage, safe keeping and transportation of gunpowder in the town of Providence," passed by the general assembly at its October session, A. D. 1821.

Presidents of the fire department.

SEC. 2. If it shall happen by the pulling down or blowing up, as provided for in the preceding section, of any building other than that in which such fire shall first begin and break out, that the progress of any fire shall be stopped, or if such fire be stopped before it reach the same, then in

To have powers of firewards under gunpowder act.

*See pages 62, 63.*

Of blowing up of buildings.

Damages, how paid.

such case the owner or owners of such building or buildings shall be reasonably paid therefor by said city; and the city council thereof is hereby empowered to raise by a tax upon all the ratable inhabitants of said city such sum of money as may be agreed on, or as shall be adjudged sufficient therefor by the court of common pleas for the county of Providence, which court is hereby authorized and empowered, upon application to it on this behalf made, to determine and make order thereon.

Repeal of statutes.

SEC. 3. The following acts, viz.: "An act providing in case of fire breaking out in the town of Providence," "An act empowering fire companies in the town of Providence to inflict penalties," passed November, A. D. 1826, "An act concerning firemen in the village of Olneyville," passed October, A. D. 1834, "An act concerning firemen in the city of Providence," passed January, A. D. 1842, "An act in relation to the extinguishing of fires in the city of Providence," passed June, A. D. 1853, and all acts and parts of acts inconsistent herewith are hereby repealed.

## Chapter 1100

of May 21, 1892.

### AN ACT TO CREATE A BOARD OF FIRE COMMISSIONERS IN THE CITY OF PROVIDENCE.

#### SECTION

1. Control and management of fire department vested in fire commissioners, subject to control of city council.

#### SECTION

2. City council to define their duties and fix their compensation and terms of office.
3. Operative clause.

*It is enacted by the General Assembly as follows:*

Fire commissioners how elected.

SECTION 1. The control and management of the fire department of the city of Providence shall be vested, subject to the control of the city council of said city, in a board of three fire commissioners, who shall be elected in joint convention by the city council of said city.

Regulation by ordinance.

SEC. 2. The city council of said city of Providence shall, by ordinance, fix the terms of office, regulate and define the duties, and fix the compensation of said commis-

sioners, and may, from time to time, amend, alter, or repeal any such ordinance.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed; and this act shall take effect from and after its passage.

Operative clause.

AN ACT TO DIMINISH THE DANGER OF FIRES IN THE CITIES OF THE STATE.

**Chapter 555**

of May 6, 1898.

<p>SECTION 1. Fire commissioners to inspect buildings; and may cause combustible materials to be removed.</p>	<p>SECTION 2. Dwelling houses are exempt from inspection. 3. Operative clause.</p>
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*It is enacted by the General Assembly as follows :*

SECTION 1. The members of the board of fire commissioners, and the chief of the fire department, and his assistants, and any other officer or officers or member or members of the fire department acting under the direction of such board or chief, of each of the cities of the state, are hereby severally authorized and empowered to inspect all buildings and places in their respective cities where waste material of a combustible nature has been allowed to accumulate, or where such board or members thereof, or chief, assistant, or other officer as aforesaid, has reason to believe that such waste material of a combustible nature has accumulated or is liable to be accumulated. If such board or chief of the fire department, after any inspection made under the authority of this act, shall, in their discretion, deem that any such accumulation of waste material of a combustible nature increases the danger of fire to the premises where such accumulation has been permitted, or to the property adjacent thereto, such board or chief of the fire department shall give notice in writing to the occupant or occupants, or one of them, of the premises where such accumulation has been permitted, to remove or cause to be removed from such premises such waste material of a combustible nature within

Fire commissioners to cause materials to be removed that increase the danger of fire.

forty-eight hours after receipt by him of such notice. In case such waste material of a combustible nature shall not be removed within forty-eight hours after notice as aforesaid, such board or chief of the fire department may cause the same to be removed from such premises, and thereupon shall cause notice in writing of the cost and expense of such removal to be given to such occupant or occupants, or one of them, and also certify the amount thereof to the city treasurer of the city, and in case such cost and expense shall not be paid to the city treasurer within thirty days after such notice, such city may recover such cost and expense in an action of the case against such occupant or occupants.

Occupants must pay  
cost of removal.

Dwelling houses  
exempted.

SEC. 2. This act shall not authorize the inspection of any building used wholly as a dwelling house.

Operative clause.

SEC. 3. This act shall take effect from and after its passage.



## SCHOOL DEPARTMENT.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT IN RELATION TO THE ELECTION OF SCHOOL COMMITTEE IN THE CITY OF PROVIDENCE."

**Chapter 649**  
of Feb. 14, 1867.

SECTION

1. Eligibility for school committee.
2. Removal from ward vacates office.

SECTION

3. Inconsistent acts repealed.

*It is enacted by the General Assembly as follows :*

SECTION 1. No person shall be eligible as a member of the school committee of the city of Providence who is not a resident in the ward for which he may be elected.

Eligibility.  
Act of 1873, Ch. 309.

SEC. 2. If any member of said committee shall remove from the ward for which he was elected, and shall fail to send in his resignation to said committee as a member thereof within three months after such change of residence, his place in said committee shall be deemed vacant, and it shall be the duty of the members of said committee from the ward for which such member was originally elected, to proceed to fill such vacancy in the manner provided for in the seventh section of the act to which this is in amendment.

Removal from ward  
vacates office.

Vacancy, how to be  
filled.

See page 76 for Act  
of 1891, Ch. 996, Sec.  
2, which supersedes  
the seventh section of  
the act referred to.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

Inconsistent acts  
repealed.

**Chapter 778**

of March 14, 1889.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT IN AMENDMENT OF AN ACT ENTITLED 'AN ACT IN RELATION TO THE ELECTION OF SCHOOL COMMITTEE IN THE CITY OF PROVIDENCE' PASSED AT THE JANUARY SESSION A. D. 1867, AND OF THE ACTS IN AMENDMENT THEREOF AND IN ADDITION THERETO."

## SECTION

- 1-4. Obsolete.  
5. Members ex-officio.

## SECTION

6. Operative clause.

*It is enacted by the General Assembly as follows :*

Obsolete.  
See Ch. 996 below.

[NOTE.—The first four sections of this act are obsolete by lapse of time, or by provisions of Chapter 996, of May 29, 1891.]

Members of school  
committee, ex-officio.

SEC. 5. The mayor, the president of the common council, and the chairman of the committee on education of the city council of said city of Providence for the time being, shall be ex-officio members of said school committee, and, together with the members retained, elected or appointed under the provisions of this act, shall constitute the school committee of the city of Providence.

Operative clause.

SEC. 6. This act shall take effect on its passage ; and all acts or parts of acts inconsistent herewith are hereby repealed.

**Chapter 996**

of May 29, 1891.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT IN AMENDMENT OF AN ACT ENTITLED 'AN ACT IN RELATION TO THE ELECTION OF SCHOOL COMMITTEE IN THE CITY OF PROVIDENCE,' " PASSED AT THE JANUARY SESSION, A. D. 1867, AND OF THE ACTS IN AMENDMENT THEREOF AND IN ADDITION THERETO.

## SECTION

1. Members of school committee, when  
to be elected.  
2. Vacancies, how filled.

## SECTION

3. Expired.  
4. When to organize.  
5. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. Section two of Chapter 778 of the public laws passed March 14, A. D. 1889, is hereby amended so as to read as follows :

“SEC. 2. The electors of each ward qualified to vote for general officers shall, at the annual municipal election in each year in the city of Providence, by a [plurality] of the votes cast, elect one of the residents of said ward a member of the school committee, who shall hold his office for the term of three years, and until another is elected and qualified to act in his place.”

Members of the school committee, when to be elected.  
[Amendment X to Constitution.]

See Act of 1905, Ch. 798, sec. 6.

SEC. 2. Section three of said act is hereby amended so as to read as follows:

“SEC. 3. Whenever from any cause a vacancy in said school committee shall happen, the members thereof, residents of the ward in which the vacancy occurs, shall elect a resident of said ward to fill said vacancy until the next annual municipal election, when the electors of said ward shall fill the same for the remainder of the term and until another is elected and qualified to act in his place.”

Vacancies, how filled.

SEC. 3. Expired.

SEC. 4. The school committee shall meet for organization on the first Tuesday in December of each year at such hour as may be fixed by the said school committee.

When to organize  
Act of 1892, Ch. 1103.  
See Act of 1900, Ch. 798, sec. 6.

SEC. 5. All acts and parts of acts inconsistent herewith are hereby repealed; and this act shall take effect on its passage.

Operative clause.

AN ACT IN AMENDMENT OF CHAPTER 65 OF THE GENERAL LAWS, ENTITLED “GENERAL PROVISIONS RELATING TO PUBLIC SCHOOLS.”

**Chapter 420**  
of October 2, 1896.

SECTION

1. Repeals General Laws, chapter 65, sections 9 and 10.
2. School committee to manage and

SECTION

- regulate schools; city council to buy land and construct buildings.
3. Operative clause.

*It is enacted by the General Assembly as follows:*

SECTION 1. Sections nine and ten of Chapter 65 of the General Laws are hereby repealed.

Repeal.

SEC. 2. In the city of Providence the school committee of said city shall hereafter employ the superintendent and teachers, have charge and custody of all school buildings and

Powers of school committee.

school property, manage and regulate the schools, and draw all orders for the payment of their expenses from the money appropriated by the city council for the support of public schools: *provided, however*, that the city council of said city shall have the expenditure of all sums appropriated for the purchase of land for school purposes, or for the improvement of the same, or for the construction or repair of school buildings.

Operative clause.

SEC. 3. This act shall take effect from and after its passage.

**Chapter 593**

of June 2, 1898.

AN ACT TO AUTHORIZE AND EMPOWER THE SCHOOL COMMITTEE OF THE CITY OF PROVIDENCE TO CONTRACT WITH THE BOARD OF TRUSTEES OF THE RHODE ISLAND NORMAL SCHOOL.

SECTION

1. School committee may contract with trustees of normal school for education of children.

SECTION

2. Expenses to be paid out of appropriation for public schools  
3. Operative clause.

*It is enacted by the General Assembly as follows :*

Education at normal school.

SECTION 1. The school committee of the city of Providence is hereby authorized and empowered to contract from time to time with the board of trustees of the Rhode Island normal school for the education of children residing in the city of Providence, in schools maintained in the Rhode Island normal school building and controlled by said board of trustees, upon such terms and conditions as may be mutually agreed upon by said school committee and said board of trustees.

Provision for expense.

SEC. 2. All expenditures of money by said school committee, made necessary by any contract made in pursuance of the authority hereby granted, shall be made out of the appropriations made by the city council of the city of Providence for the support of public schools.

Operative clause.

SEC. 3. This act shall take effect upon its passage; and all acts and parts of acts inconsistent herewith are hereby repealed.

AN ACT IN AMENDMENT OF CHAPTER 64 OF THE GENERAL LAWS, ENTITLED "OF TRUANT CHILDREN AND OF THE ATTENDANCE OF CHILDREN IN THE PUBLIC SCHOOLS."

**Chapter 587**  
of June 15, 1898.

SECTION  
1. School committee to fix two school terms; compulsory attendance.

SECTION  
2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The school committee of the city of Providence shall divide the school year into two school terms of approximately equal length; and every person having under his control a child between the ages of seven and fifteen years residing in said city, shall cause such child to regularly attend some public day school in said city for at least the whole of one of such terms in each year, subject to the same penalty and the same provisos as are specified in section one of chapter sixty-four of the General Laws; and, in said city, attendance as aforesaid shall be required under all the provisions of chapter sixty-four of the General Laws in the place and stead of the attendance for eighty full school days specified in said section one of said chapter.

Two terms in each school year.

Compulsory attendance.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed; and this act shall take effect from and after its passage.

Operative clause.

AN ACT TO PROVIDE FOR THE TAKING OF LAND FOR SCHOOL PURPOSES IN THE CITY OF PROVIDENCE.

**Chapter 1402**  
of Feb. 28, 1895.

SECTION  
1. Land may be taken for school houses.  
2. Manner of condemnation.  
3. Right of appeal.

SECTION  
4. Right of appeal on failure to receive notice.  
5. Repeal of Chapter 308 of 1873.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city of Providence, from time to time, may take lands therein, improved or unimproved, for the location of school houses, the enlargement of school house

Land may be taken for school houses.

lots, and for school purposes: *provided*, that the amount of the same at any one taking shall not exceed one acre.

Manner of con-  
demnation.

SEC. 2. The city council of said city shall, within six months from the date of the passage of the resolution by said city council to take any land for such purpose or purposes, file in the office of the recorder of deeds of said city a description of the land, and also a plat thereof, and a statement that the same is taken pursuant to the provisions of this act, which description and statement shall be signed by the mayor of said city, and upon the filing of such description and statement, the title in fee simple of such land shall vest in said city of Providence; and after the filing of such description and statement, notice of the taking of such land shall be served upon the owners of and persons having an estate in and interested in such land by the city sergeant of said city leaving a true and attested copy of such description and statement with each of such persons personally, or at their last and usual place of abode in this state with some person living there, and, in case any of such persons are absent from this state and have no last and usual place of abode therein occupied by any person, such copy shall be left with the persons, if any, in charge of or having possession of such land taken of such absent persons, and another copy thereof shall be mailed to the address of such absent persons if the same is known to said officer; and after the filing of such description and statement, the city clerk of said city shall cause a copy of such description and statement to be published in some newspaper or newspapers published in said city at least twice a week for three successive weeks; and if any party shall agree with said city for the price of the land so taken, the same shall be paid to him forthwith by said city.

Right of appeal.

SEC. 3. Any owner of or person entitled to any estate in or interested in any part of the land so taken, who cannot agree with said city for the price of the land so taken in which he is interested as aforesaid, may, within three months after personal notice of said taking, or, if he have no personal notice, may, within one year from the filing of the description and statement referred to in section two of this



act, apply by petition to the common pleas division of the supreme court, in the county of Providence, setting forth the taking of his land and praying for an assessment of damages by a jury. Upon the filing of said petition the said court shall cause twenty days' notice of the pendency thereof to be given to said city by serving the mayor of said city with a certified copy thereof, and may proceed after such notice to the trial thereof; and such trial shall determine all questions of fact relating to the value of such land and the amount thereof, and judgment shall be entered upon the verdict of such jury and execution shall be issued therefor. In case of conflicting claims to such land by any two or more petitioners, said court may set down the petitions of such petitioners for trial at the same time by the same jury, and may frame all necessary issues for the trial thereof.

SEC. 4. In case any owner of or person having an estate in or interested in such land, shall fail to receive personal notice of the taking of such land, and shall fail to file his petition as provided in section three of this act, said court in its discretion may permit the filing of such petition subsequent to said period of one year from the filing of such description and statement: *provided*, such person shall have had no actual knowledge of the taking of such land in season to file such petition; *and provided* said city, after the filing of such description and statement, shall not have paid any other persons claiming to own such land the price or value of the same, or be liable to pay for the same under any judgment rendered against said city under the provisions of this act.

Right of appeal on failure to receive notice.

SEC. 5. Chapter 308 of the public laws, entitled "An act in relation to taking land for school purposes in the city of Providence," passed at the January session, 1873, is hereby repealed; and this act shall take effect upon its passage.

Act of 1873, Ch. 308, repealed.

Operative clause.

**Chapter 510**  
of May 27, 1897.

AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO HIRE MONEY FOR THE PURPOSE OF BUILDING AND FURNISHING NEW SCHOOL HOUSES, AND FOR THE PURCHASE AND IMPROVEMENT OF LAND FOR SCHOOL PURPOSES.

SECTION

1. City may hire \$300,000 annually for school purposes.
2. City council shall provide for pay-

SECTION

- ment of interest and for a sinking fund.
3. Operative clause.

*It is enacted by the General Assembly as follows :*

\$300,000 may be hired annually for school purposes.

SECTION 1. The city of Providence is hereby authorized and empowered to hire, from time to time, such sums of money as the city council of said city shall deem expedient, not exceeding in any one year the aggregate sum of three hundred thousand dollars, to be used and expended for building and furnishing new school houses, and for the purchase and improvement of land for school purposes, and to issue its notes and bonds, or either, therefor, for such times, on such terms, and in such amounts, as shall be fixed by said council.

Provision for sinking fund and payment of interest.

SEC. 2. The city council shall annually appropriate, until said bonds and notes are paid in full, besides a sum to pay the interest thereon, a sum to be placed as a sinking fund, sufficient for the redemption of said notes and bonds when due, and all premiums arising from the sale of said notes and bonds shall be placed to the credit of said sinking fund.

Operative clause.

SEC. 3. This act shall take effect upon its passage.

**Chapter 485**  
of May 21, 1897.

AN ACT TO PROVIDE FOR THE CREATION AND DISBURSEMENT OF A PUBLIC SCHOOL TEACHERS' RETIREMENT FUND IN THE CITY OF PROVIDENCE.

SECTION

1. Teachers' retirement fund.
2. Administration.
3. Deductions from pay rolls.
4. Beneficiaries.

SECTION

5. Annuities may be paid to disabled teachers,
6. Ratable payment of annuities.
7. Operative clause.

*It is enacted by the General Assembly as follows ;*

Teachers' retirement fund.

SECTION 1. The school committee of the city of Providence shall have power to establish what shall be known as

the Public School Teachers' Retirement Fund, which fund shall be administered by the board of trustees hereinafter provided for. Said fund shall consist of:

*First.* All moneys received from donations, legacies, gifts, bequests, or otherwise, for or on account of said fund.

Voluntary gifts.

*Second.* On and after October first, eighteen hundred ninety-seven, the school committee shall reserve and turn over to said fund one per centum of the salaries paid to teachers who shall, prior to that date, elect to come under the provisions of this act; and one per centum of the salaries paid to all teachers appointed after said date: *provided*, that no teacher shall be assessed for more than one per centum of twelve hundred dollars per annum.

Assessments.

*Third.* All interest or income derived from the above moneys.

Income from fund.

SEC. 2. The president or chairman of the school committee together with three members chosen by said committee, the superintendent of schools, the city treasurer of the city of Providence who shall be ex-officio the treasurer of said fund, and three representatives to be elected annually by those teachers of the public schools who contribute to the support of this fund in accordance with section one of this act, shall form a board of trustees who shall have charge of and administer said fund, and said board of trustees shall have power to invest and re-invest the same as shall be deemed by them most beneficial to said fund, and shall make payment from said fund of annuities granted in pursuance of this act; and shall from time to time make and establish such rules and regulations for the administration of said fund as they shall deem best.

Administration of the fund.

SEC. 3. Whenever a teachers' pay roll shall be certified to the city auditor for payment, it shall contain a statement of the amount to be deducted from the salary of each teacher who contributes to the support of said fund in accordance with the provisions of this act, which amounts shall be added by said city treasurer to said retirement fund, and all amounts received by said treasurer for said fund, in accordance with the provisions of this act, shall be subject to the order of said board of trustees signed by the president and secretary of said board.

Deductions from teachers' pay roll for said fund.

Beneficiaries.

SEC. 4. Every teacher who has annually contributed to said fund in accordance with the provisions of this act for at least five years, and shall have taught in public schools, if a man, not less than thirty-five years, or if a woman, not less than thirty years, twenty years of which service in both cases shall have been in the public schools of said city next preceding the time of retirement, may be retired, and shall have the right voluntarily to retire, from such service and become a beneficiary under this act; and every such teacher so retired or retiring shall be entitled to an annuity for the remainder of his or her life, to be paid by said board of trustees out of said fund, equal to one-half of the salary of such teacher at the time of such retirement, at the same times and in the same proportions as the salaries of teachers are paid: *provided*, that the annuity so paid shall in no case exceed six hundred dollars in any one year.

Annuities may be paid to teachers incapacitated.

SEC. 5. Every teacher in the public schools of said city, who shall have taught continuously therein not less than ten years, and for not less than five years annually contributed to said fund in the manner provided in this act, and has become, without the fault of such teacher, mentally or physically incapacitated for such service, may retire or be retired therefrom and become a beneficiary of said fund in the same manner and to the same extent as provided in section four of this act: *provided*, that such annuity shall cease when such incapacity ceases.

Ratable payment of annuities.

SEC. 6. In case the fund should be insufficient to pay the annuities provided for in section four of this act, the board of trustees shall make a ratable distribution among the teachers who may be entitled to annuities under the provisions of this act.

Operative clause.

SEC. 7. This act shall take effect from and after its passage.

## BUILDINGS.

### AN ACT CONCERNING THE ERECTION OF BUILDINGS IN THE CITY OF PROVIDENCE.

**Act of 1843**

November.

**SECTION**

- 1 to 6. Superseded by Chapter 688 of April 12, 1878.
7. Board of aldermen may license or revoke use of steam boilers.
8. Fine for unlawful buildings or operation of steam boiler.
9. Annual tax in addition to fine on building erected in violation of this act.

**SECTION**

10. General penalties under this act.
11. Corporations are liable, although exempt from taxation.
12. Assessments and fines, how to enure.
13. Duty to inform of violations.
14. City council may extend the area of operation of this act.
15. Prior building laws repealed, with saving of penalties.

*It is enacted by the General Assembly as follows :*

[NOTE. — The first six sections of this act were superseded by Chapter 688 of April 12, 1878.]

SECTION 7. No steam boiler shall hereafter be erected and put in operation in said city unless by permission of the board of aldermen of said city; and no steam boiler shall be operated in said city without such permission; and any authority or permission heretofore given, or which may hereafter be given, to any person to operate any steam boiler in said city may be revoked by said board of aldermen for non-compliance with any requirement said board of aldermen may make for the protection or safety of life, health and property; and thereupon such person shall cease to operate the same.

Board of aldermen may license or revoke operation of steam boilers.

Act of 1877, Ch. 617.

SEC. 8. Every person who shall erect, construct or add to, or cause to be erected, constructed or added to, any building, or who shall put or continue in operation any steam boiler in said city, contrary to the true intent and meaning and against the provisions or any of the provisions

Fine for unlawful buildings, or operation of steam boiler.

Act of 1875, Ch. 514.

of this act, shall forfeit and pay a fine of not less than one hundred dollars nor more than five hundred dollars, according to the nature and aggravation of the offence; to be recovered by indictment before, or information in, the supreme court, or the court of common pleas, in and for the county of Providence, which it shall be the duty of the attorney-general to file in all cases which may come to his knowledge; and every day that such violation of the restrictions, regulations and conditions made, provided or imposed by said board of aldermen shall continue, shall be a separate offence and be punishable as such.

Annual tax to be imposed, in addition to fine, on building erected in violation of this act.

Duty of board of aldermen.

Duty of assessors.

Assessments, how recovered.

Copy of record of conviction to be filed with city clerk.

SEC. 9. In addition to the fines above mentioned, there shall be laid and assessed upon every house and other building which shall be erected, constructed or added to contrary to the provisions or any of the provisions of this act, the sum of fifty dollars annually and every year until brick or stone walls shall be erected as above provided, and until the same shall be effectually secured against fire, according to the provisions of this act; and it shall be the duty of the board of aldermen aforesaid to return to the assessors of said city annually a list of all such houses and other buildings as are erected, constructed or added to, against the provisions or any of the provisions of this act, together with attested copies of the record of the conviction of the person or persons who erected, constructed or added to the same, before the supreme court; and thereupon it shall be the duty of the said assessors to assess upon the owner or owners of such building or buildings, for the time being, the said sum of fifty dollars annually in addition to his, her or their taxes; which shall be recovered and collected in the same way and manner as other taxes are or may be recovered and collected; and the same remedy is hereby given to the collector or collectors of taxes for the recovery thereof; *provided, nevertheless*, that no such building or buildings, or the owner or owners thereof, shall be subjected to such annual tax until an attested copy of the record of said conviction shall have been duly recorded in the office of the city clerk of said city, whose duty it shall be to receive and record the same.



SEC. 10. Every person who shall operate any steam boiler, or use or occupy any building of a description set forth in this act, otherwise than in conformity with the same, shall forfeit and pay for each offence a sum not less than fifty dollars nor more than five hundred dollars, together with all costs of prosecution, to be recovered in an action of debt in the name of the treasurer of said city before any court of competent jurisdiction. And any person who shall offend against this act, or any part thereof, by operating any steam boiler, or using or occupying contrary thereto any building hereby authorized to be erected, or herein described, and shall persist in such unlawful operation, use or occupation, after he or she shall have been required by the mayor, or by the board of aldermen aforesaid, in writing, to discontinue the same, shall, for every thirty days during which he or she shall so persist, be deemed guilty of a new and separate offence and shall be fined accordingly.

General penalties under this act.

SEC. 11. All corporations and the property of all corporations which are otherwise exempt from taxation, shall be subject and liable to the provisions of this act, and to the penalties and assessments therein provided in case of violation thereof; and written notice to the treasurer, or other officer usually receiving and paying out funds of such corporation, shall be sufficient fully to bind such corporation and its property.

Corporations are liable, although exempt from taxation.

SEC. 12. All assessments and one half of all fines and penalties which shall be recovered under and by virtue of this act, shall accrue and enure to the use of said city, and be paid to the treasurer thereof; and the other half of said fine and penalties shall be paid into the general treasury.

Assessments and fines, how to enure.

SEC. 13. It shall be the duty of the mayor and of each and every alderman in said city, and they and each of them are hereby required, to inquire after and give or cause to be given information to the attorney-general of all offences which may be committed against the true intent and meaning of this act.

Duty to inform of violations.

SEC. 14. The city council of said city are hereby authorized and empowered to extend the operation of this act or any of the provisions thereof, from time to time, to such

City council may extend limits.

other streets, places and districts within said city as they shall deem expedient ; and said act shall have full force and effect therein.

Prior building-laws repealed, with saving of penalties.

SEC. 15. All laws relating to the erection of wooden buildings in any part of the town or city of Providence are hereby repealed ; but all violations prior to the passage of this act, of such laws or of any part thereof, and all assessments, fines or penalties incurred before the passage of this act, may be prosecuted for, recovered and collected as if this act had not been passed.

## Chapter 688

of April 12, 1878.

### AN ACT IN RELATION TO BUILDINGS IN THE CITY OF PROVIDENCE AND FOR OTHER PURPOSES.

#### SECTION

1. Buildings exempted from the operation of this act.
2. Division of the city into districts.
3. First building district, limits of.
4. Second building district, limits of.
5. Terms used in this act, how to be construed.
6. Election and duties of the inspector of buildings ; assistant inspectors.
7. What alterations and additions are subject to this act.
8. Permits required for building.
9. Excavations to be properly guarded.
10. Regulations of the construction of buildings, etc., adjoining streets and highways.
11. Construction of buildings and the several parts thereof.
12. Piles for foundation, how to be driven. Cellar bottoms of dwelling or hotel, how to be prepared.
13. Foundation walls.
14. Walls and foundations of brick and stone dwelling houses.
15. Of buildings other than dwelling houses.
16. *Omitted in original by inadvertence in numbering the sections.*
17. Isolated brick piers, how to be built.
18. Floor-beams, partitions, roof-beams, etc.

#### SECTION

19. Strength of roofs and floors.
20. Restrictions governing projections over any public way or square.
21. Chimneys, flues, and heating apparatus.
22. Boiler houses, boiler rooms, and drying rooms.
23. Thickness of external walls of certain brick buildings.
24. Stand-pipes, hose-coupling, and hose, required in what buildings.
25. Hoistways and elevators.
26. Stairways and doorways in factories.
27. Buildings for public assemblies, and theaters, how to be equipped.
28. Tenement and lodging houses, how to be constructed and conducted.
29. Coal holes, and vaults under sidewalks.
30. Stables.
31. Repealed.
32. Removal of buildings.
33. Unsafe buildings.
34. Wooden buildings in first district.
35. Wooden buildings in second district.
36. Fire stops.
37. Notices, how to be served.
38. Inconsistent acts repealed.

*It is enacted by the General Assembly as follows :*

SECTION 1. Buildings and structures belonging to the United States, or to this state, are exempted from the operations of this act.

United States and State buildings are exempted.

SEC. 2. The city of Providence for the purposes of this act is divided into two building districts the first, or close district, and the second or outer district.

Building districts.  
Act of 1894, Ch. 1339,  
Sec. 1.

SEC. 3. The first building district shall be all that part of said city lying within the following lines, viz.: beginning at the harbor line on the westerly side of the river one hundred feet south of Point street and extending westward, holding the distance of one hundred feet south of Point street, to a point one hundred feet west of Chestnut street; then extending northerly, holding the distance of one hundred feet west of Chestnut street, to a point one hundred feet south of Broad street; then extending westerly, holding the distance of one hundred feet south of Broad street, to a point in range of a line drawn one hundred feet west of Fenner street; then northerly, holding the distance of one hundred feet west of Fenner street, to High street; then crossing High street to a point on its northerly side one hundred feet west of Jackson street; then extending northerly, holding the distance of one hundred feet west of Jackson street, to a point one hundred feet north of Washington street; then extending easterly, holding the distance of one hundred feet north of Washington street, to a point one hundred feet west of Aborn street; then holding the distance of one hundred feet west of Aborn street, then extending northerly to a point one hundred feet north of Sabin street; then northerly in a direct line to the easterly corner of Park and Promenade streets, and extending on said Park street one hundred feet; then extending easterly, one hundred feet from Promenade street, to a point one hundred feet west of Gaspee street; then extending easterly and northerly, holding the distance of one hundred feet north and west of Gaspee street, to a point one hundred feet north of the north line of Smith street; then extending easterly, holding the distance of one hundred feet north of Smith street, to a point one hundred feet east of North Main street; then extending southerly, holding the distance of one hundred feet east of North and South Main streets, until the harbor line is reached at the foot of South Main street.

First district.

Second district.  
Ac of 1894, Ch. 1339,  
Sec. 2.

SEC. 4. The second district shall comprise all that portion of the city not included in the first or close district.

Any building erected or hereafter erected situated upon the line dividing the two districts, shall be included in the close district.

The city may from time to time, by ordinance, change the lines of the close limits in said city, and if said city shall have squares blocked for fire protection, the same shall be considered to mean close limits under this act, and within those limits every building hereafter erected shall have its external, party, and partition walls built of brick, stone, iron or other substantial and incombustible materials, and only the following wooden buildings shall be allowed, viz. : sheds or buildings not over fifteen feet high nor more than ten hundred feet in area, to be used for market or storage purposes; and elevators of any height for the storage of coal or grain; all external parts of which sheds, buildings or elevators shall be covered with incombustible materials. Temporary sheds not over fifteen feet high, for the use of builders while at work upon building sites may be erected.

Definitions.

SEC. 5. In the construction of this act, if not inconsistent with the context, the following terms shall have the respective meanings herein assigned to them, viz. :

- “ External wall.” “ External wall ” shall apply to every outer wall or vertical enclosure of a building, other than a party wall.
- “ Party wall.” “ Party wall ” shall apply to every wall used, or built, intended as a separation of any building from any other building to be occupied by different persons.
- “ Foundation wall.” “ Foundation wall ” shall mean that portion of external walls below the level of the street curb; and for walls not on any street, that portion of the wall below the level of the ground outside of the wall.
- “ Partition wall.” “ Partition wall ” shall mean any interior wall of masonry in a building.
- “ Tenement house.” A “ tenement house ” shall mean and include every house, building, or portion thereof, which is intended to be occupied, or is occupied, as the residence of more than three families living independently of one another and doing their cooking upon the premises; or by more than two

families upon a floor, so living and cooking, but having a common right in the halls, stairways, yards, water-closets or privies, or some of them.

A "lodging house" shall mean and include any house or building or portion thereof, in which persons are lodged for hire for a single night or for less than a week at one time.

"Lodging house."

A "cellar" shall mean every basement or lower story of any building or house, of which one half or more of the height from the floor to the ceiling is below the level of the ground adjoining.

"Cellar."

SEC. 6. The city council in convention may elect an inspector of buildings in the city of Providence, who shall hold his office for such term as said city council, by ordinance or otherwise, may determine. Said inspector, so elected, is charged with the duty of executing the provisions of this act, and shall keep a record of his doings, report all violations of this act to the city solicitor for prosecution, and shall annually, and as much oftener as he may be required by the city council, make return to said city council of his doings hereunder.

Inspector of buildings, election and duties.

Act of 1896, Ch. 367, Sec. 1.

He shall examine all buildings in the course of erection, alteration or repair, as often as practicable, and shall make a record of all violations of this act, together with the street and number where such violations are found, the name of the owner, lessee, occupants, architects and master-mechanics, and all other matters relating thereto.

Buildings in course of erection.

Ch. 367, as above.

He shall examine all buildings reported dangerous, or damaged by fire or accident, and make a record of such examinations, including the nature and amount of such damage, with the name of the street and number of the building, the name of the owner and lessee, and for what purpose occupied, and, in case of fire, the probable origin thereof, and shall also examine all buildings under application to raise, enlarge, alter or build upon, and make a record of the condition of the same.

Buildings reported dangerous, or damaged by fire, or to be altered.

Ch. 367, as above.

Said inspector of buildings, as soon as may be after the passage of [Chapter 367 of May 14, 1896,] and thereafter annually in the month of January, may appoint, subject to the approval of the board of aldermen of said city, one or more

Assistant inspectors.

Ch. 367, as above.

assistant inspectors of buildings, as said city council shall from time to time by ordinance determine. Such assistant inspectors shall hold their respective offices during the current municipal year, and until their successors are appointed and duly qualified: *provided*, that said inspector of buildings at his pleasure may remove any such assistant inspector from office at any time, subject to the approval of said board of aldermen, and a vacancy from any cause may be filled at any time for the unexpired term in the same manner as the original appointment. Such assistant inspector or inspectors shall perform such duties relating to the execution of the provisions of this act, as said inspector of buildings shall from time to time direct; and in case of the absence or disability from any cause of said inspector of buildings, any assistant inspector, designated by said inspector, shall exercise all the powers and be subject to all the duties of said inspector. Said inspector of buildings and said assistant inspectors shall receive such salaries respectively for their services, and such compensation and indemnity for moneys paid out or expenses incurred in the discharge of their duties, under the provisions of this act, as said city council may by ordinance or otherwise prescribe.

Removal.

Duties.

Salaries.

What alterations are subject to this act.

SEC. 7. Any alteration in or addition to any building already erected, or hereafter to be built, except necessary repairs not affecting the construction of the external or party walls, chimneys or stairways, shall to the extent of such work be subject to the regulations of this act.

Same subject.

No building already erected, or hereafter built, shall be raised or built upon in such manner that were such building wholly built or constructed after the passage of this act, it would be in violation of any provision hereof.

Permits to build.

Act of 1894, Ch. 1339,  
Sec. 3.

See Ch. 1406, Sec. 3,  
page 120.

SEC. 8. No work, except necessary repairs, shall be done upon any structure or building in said city without a permit from the inspector of buildings, nor except in conformity with the provisions of this act; and upon application, such inspector shall issue such permit in accordance herewith. Any one commencing or having work performed before obtaining said permit shall, after a written notice, forfeit and pay a penalty of five dollars per day for each day such violation continues.



All permits granted for building operations that are not commenced within a period of six months from the time of issuance, shall expire by limitation. The said inspector shall not grant any permit for the commencement of any building operations until the owner or owners, or the duly authorized agent or architect of the same, shall have filled out and signed a blank application giving full particulars of where and of what such building operations are to be; every such application which shall be thought of sufficient importance by the inspector of buildings, shall be accompanied by a copy of the plans or specifications, or both, as may be required.

Conditions of permits.  
Ch. 1339, as above.  
See Ch. 1406, Sec. 3, page 120.

SEC. 9. Any excavation upon a lot adjoining a street shall be properly guarded and protected by the person having charge of such excavation so as not to become dangerous to public travel. Whenever any excavation shall be commenced upon a lot of land, and there shall be a party or other wall standing upon or near the boundary line of said lot, if the person whose duty it shall be to preserve and protect said wall from injury shall neglect or fail so to do, for twenty-four hours after notice in writing from the inspector of buildings, left at the usual residence or place of business of such person, said inspector may enter upon the premises and employ such labor, obtain such materials, and take such other steps, as may be necessary to make the same safe, and to prevent the same from becoming unsafe, at the expense of the person owning said wall or building; and such inspector may recover of such person all money so expended as if he had been employed by such person to expend the same.

Excavations to be guarded.  
Protection of party or other walls.

Recovery of expense.

SEC. 10. Whenever any person shall be about to erect or alter the exterior walls of a building, within five feet of the line of a travelled street, said person shall cause the portion of the site of said building bordering upon said street to be enclosed by a proper fence not less than four feet high, and at least seven feet from the line of such building; and if such fence shall prevent passage on the sidewalk, shall lay and maintain a plank walk around the same not less than thirty inches wide; and said fence shall be made as

Fence and plank walk on street.

much higher, and the walk as much wider, as the inspector of buildings shall direct, and the same shall be maintained until all liability to accident from falling materials shall be terminated.

Staging in street.

No person shall erect, or continue when erected, any staging in any highway for the purpose of repairing or erecting a building, without first obtaining permission from the inspector of buildings, and all such staging shall be so erected and secured as to be safe and sufficient for the purpose for which it was erected.

Building material in street.

In erecting any building, no person shall place, deposit or suffer to remain, in any street or highway, any lumber or other building material, rubbish or remains of any old building, for a longer period than may be necessary for the prosecution of the work which may be going on; and in case such material, rubbish or remains of an old building shall necessarily remain after dark, a sufficient light shall be placed over or near the same, and kept from sunset to sunrise.

Rubbish.

All rubbish from the erecting or repairing of any building, or the removal of an old building, shall be carried away by the person so erecting or repairing such building at such time as any highway commissioner may direct; and in case of neglect or refusal so to do, it shall be removed by a highway commissioner at the expense of the person so erecting or repairing such building. Any person violating any provision of this section shall pay a fine of five dollars.

Penalty for this section.

Construction of buildings.

SEC. 11. Every permanent building shall have foundations not less than four feet below the surface exposed to frost, resting upon the solid ground or upon concrete, piles or other solid sub-structure.

Foundations.

Walls.

Every wall, other than foundation walls, constructed of brick, stone or other similar substance, shall be properly bonded and solidly built with mortar or cement.

Thickness of walls.

The thickness of every wall, as hereinafter prescribed, shall be the minimum thickness as applied to solid walls.

Height of walls.

The height of every external or party wall, as referred to in this act, or in any act in amendment thereof, shall be measured from the level of the finished grade to its highest point; on sloping ground, such height shall be measured at intervals of ten feet.

SEC. 12. Whenever piles are required to be driven for a foundation they shall be of suitable stock, driven to a firm and solid bearing, and the tops shall be cut off on a level to insure constant immersion. There shall not be less than two rows under all external and party walls, and they shall be spaced not over three feet on centres in the direction of the length of the wall.

Foundation piles.

Every building to be used for a dwelling or a hotel, built upon filled or made land, shall have a bed of concrete made of hydraulic cement and gravel, or tar and gravel, spread over the cellar bottom, or shall be paved with brick laid in cement, or asphalt, throughout the whole extent of the building; and where there is a basement floor over the cellar bottom, with an air-space between the concrete and said floor, the air-space shall be properly ventilated.

Cellar bottoms

SEC. 13. Foundation walls shall rest on a proper base or footing course; if of stone, each stone shall have the upper and under surfaces approximately parallel, and shall be close-fitted and bedded solid. Timber shall be used only where it will be constantly immersed in water. The breadth of every base course shall be in proportion to the load to be carried and to the softness of the soil beneath it.

Foundation walls.

Foundation walls for wooden buildings shall be of brick, at least twelve inches thick, or rubble or block stone at least sixteen inches thick, laid in cement mortar, or dry rubble stone at least eighteen inches thick.

Foundation wall of wooden building.

SEC. 14. For dwelling-houses with walls not exceeding thirty-five feet in height, foundation walls, laid with block or ledge stone in cement mortar, or in brick laid in cement, shall be not less than sixteen inches thick, and external and party walls of brick shall be not less than twelve inches thick for the entire height.

Walls of dwelling-houses less than 35 feet high.

For dwelling-houses with walls exceeding thirty-five and not exceeding fifty-five feet in height, foundation walls laid with block or ledge stone in cement mortar shall not be less than eighteen inches thick; if of brick, not less than sixteen inches thick and laid in cement. External brick walls shall be not less than sixteen inches thick to the second floor, and twelve inches above, and brick party walls not

Between 35 and 55 feet high.

less than twelve inches thick to the top of the upper floor, and not less than eight inches thick for the remaining height.

Over 55 feet high.

For dwelling-houses with walls exceeding fifty-five feet in height, foundation walls, laid with block or ledge stone in cement mortar, or brick laid in cement, shall be not less than twenty inches thick. External brick walls shall be not less than sixteen inches thick to the top of the second floor, and twelve inches above, and brick party walls not less than twelve inches thick to the top of the upper floor, and not less than eight inches thick for the remaining height.

Walls of buildings not dwellings.

SEC. 15. Buildings other than dwelling-houses shall have walls of the following thickness :

Less than 40 feet high.

For buildings in which the walls do not exceed forty feet in height, foundation walls shall be laid of block or ledge stone in cement mortar, not less than twenty-four inches thick ; external walls shall not be less than sixteen inches thick to the top of the first story, and not less than twelve inches thick for the remaining height.

Over 40 feet high.

For buildings in which the walls exceed forty feet in height, foundation walls shall be laid of block or ledge stone in cement mortar, not less than twenty-eight inches thick.

Between 40 and 60 feet high.

For buildings exceeding forty feet and not exceeding sixty feet in height, the external walls shall not be less than twenty inches thick to the top of the first story, not less than sixteen inches thick to the top of the second story, and not less than twelve inches thick for the remaining height.

Over 60 feet high.

For buildings exceeding sixty feet in height, the external walls of the two lower stories shall not be less than twenty-four inches, the next story above not less than twenty inches, thence not less than sixteen inches to the top of the fourth story, and not less than twelve inches for the remaining height.

Thickness of party walls.

Party walls in such buildings shall be not less than twenty inches thick to the top of the second floor above the street, and not less than sixteen inches thick to the underside of the roof boards, and not less than twelve inches thick for the remaining height.

In all buildings over twenty-five feet in width, not having either brick partition walls, or girders supported by columns running lengthwise of the building, the external walls shall be increased four inches in thickness for every additional twenty-five feet in the width of said building.

External walls.

Bearing walls over ninety feet in length without cross walls or buttresses of equal height with the wall shall be four inches thicker than above required.

Bearing walls.

Stone walls less than twenty-four inches thick shall have at least one header running through in every three feet in height and four feet in length; if over twenty-four inches thick, at least one header for every six superficial feet on each side and running in at least two feet.

Headers in stone walls.

The amount of materials above specified for external walls may be used either in piers or buttresses: *provided*, the external walls between said piers or buttresses shall in no case be less than twelve inches thick. If adjoining owners, instead of a party wall, shall each at the same time erect a wall on his own land, such walls may be twelve inches each in thickness, to such height as they shall be contiguous.

Piers or buttresses.

When the floor joists of any building rest on brick corbelling, or on iron bearers, and are not built into the wall, the walls may be made four inches thinner than required above: *provided*, that such corbelling be not less than six courses in height, and be well bonded into the wall; and that no such wall be less than twelve inches thick.

Corbelling.

The external walls of stables, or workshops for light work, shall be at least twelve inches thick: *provided*, that no such building shall be over thirty feet high, nor cover more than three thousand square feet, and that said walls be not less than twelve inches thick.

External walls of stables or shops.

Hollow walls may be built; but all such walls shall be tied together with incombustible anchors placed not more than three feet apart. If used as bearing walls, the thickness shall be reckoned by their solid parts, unless either part is at least eight inches thick and solid vertical connections are made not less than twelve inches wide nor more than eight feet apart from centres, in which case two thirds

Hollow walls.

of the hollow space shall be counted with the solid parts. In no case shall the ends of joists or other wood-work be allowed to come within four inches of the hollow space.

Hall partitions in tenement or lodging-houses.

In any building hereafter to be erected, to be occupied as a tenement or lodging house, in which the lower part is to be used for business or manufacturing purposes, or which is intended to be occupied by more than four families, the hall partitions from the cellar to the second floor shall be built of non-conducting, incombustible material.

Backing of exterior walls.

Exterior walls faced with stone, shall have a backing of not less than eight inches of hard brick-work laid in mortar. But in no case shall the thickness of stone and backing, taken together, be less than the thickness required for a brick wall of the same height. The stone facing of the wall shall be securely tied to the brick backing by means of metal clamps.

Stone cornices.

Where a wall is finished with a stone cornice, the greatest weight of material of such cornice shall be on the inside of the face of the wall, so that the cornice shall firmly balance upon the wall.

Headers.

In brick walls every ninth course shall be a heading course, except where some bond is used in which at least every ninth course is a heading course, or where walls are faced with face brick, when every ninth course shall be bonded with Flemish headers, or by cutting the face course and putting in diagonal headers behind, or by splitting the face brick in half and backing the same by a continuous row of headers. Metal ties, built in as often as every ninth course, and not over twelve inches apart, may be used instead of the brick headers.

Metal ties.

Backing of brick in certain cases, and other details.

In all walls which are faced with thin ashlar, anchored to the backing, or in which the ashlar has not either alternate headers and stretchers in each course, or alternating heading and stretching courses, the backing of brick shall not be less than twelve inches thick, and each ashlar shall be securely tied to the backing by one or more suitable metal anchors. All heading courses shall be good, hard, perfect brick. Iron piers under external walls, unless full columns, shall be backed with at least twelve inches of brick-work ;



iron fronts or facings shall be backed with brick-work at least eight inches thick. No rear, front, division or party wall of brick or stone shall be built upon or supported by any wooden girders, rafters or lintels, or other wooden supports, but upon iron, brick or stone of sufficient strength. All lintels shall be of sufficient strength and bearing for the superimposed weight. No timber shall be used in any wall of building, except arch forms for interior arched openings.

The side, end and party walls shall be anchored at each tier of beams, at intervals of not more than ten feet apart, with good, strong, wrought-iron anchors, at least one half inch by one and one half inch, well built into the walls, and fastened to the top of the beams; and where the beams are supported by girders, the ends of the beams resting on the girder shall be butted together, end to end, and strapped by wrought iron straps or tie-irons, at the same distances apart, and in the same beams as the wall anchors, and shall be well fastened.

Anchoring.

All mortar shall be of the best quality for the purpose for which it is applied.

Mortar.

Party walls shall be coped with non-combustible material securely fastened, or with wood if covered with tin or other metal; and where there is a flat, hip or pitch roof, shall be carried up to a height of not less than two feet above the roof covering, at every part of said roof; and where the roof is of the kind known as Mansard or French, or of any style excepting as above specified, unless the same is constructed of fireproof materials throughout, the party wall shall be carried up to a height of not less than two feet above the flat or upper slope of said roof, and shall extend through the lower slope, at least eighteen inches distant from and parallel with the roof covering. The ends of party walls shall be corbelled out at least twelve inches, or to the outer edge of all cornices or projections on the front or rear walls: *provided*, that if a gutter-stone of suitable dimensions and properly balanced shall be inserted, it shall be equivalent to corbelling, and no continuous vertical recess of more than four inches in depth shall be made in any twelve-inch party wall, and no recess of any kind shall be made in any eight-inch party wall.

Coping of party walls.

*Section 16 is not omitted. Its absence is due merely to inadvertence in numbering the sections in the original.*

Isolated brick piers.

SEC. 17. Isolated brick piers shall be built of good, hard, well-burnt brick, and under all lintels, girders, iron or other columns, shall have a cap-iron at least one inch thick, or a cap-stone of granite at least eight inches thick, or bluestone at least four inches thick, the full size of the pier.

External brick piers.

In the case of an external brick pier, the plate may be reduced sufficiently in size to allow four inches of brick work to intervene between the edge of the plate and the face of the pier exposed to the weather.

Columns.

Columns supported by brick walls or piers shall rest upon an iron plate at least one inch thick, or upon a cap-stone of granite at least eight inches thick, or of bluestone at least four inches thick, of a size satisfactory to the inspector of buildings. Under iron columns shall in all cases be an iron plate of not less than one inch in thickness. All iron columns must be wrought to a true bearing at right angles with the axis, and must be set plumb without wedging up, except with thin iron wedges.

Footing-courses.

Every pier or column supporting walls of masonry shall have for a footing-course a broad leveler of block stone, or ledge stone of sufficient thickness, and with a bearing surface equal in area to the square of one foot more than the width of the footing course required for a wall of the same thickness as that borne by the pier or column; and if the foundation of such piers or columns rests upon piles, a sufficient number shall be driven to insure a proper support.

Binders.

Every brick pier shall have one or more binders built therein either of iron not less than one inch thick, of bluestone not less than three inches, or of granite or sandstone not less than five inches thick; these binders shall be of the full size of the pier, except in piers on the street front above the curb where they may be four inches less in diameter. The distance between any two binders or between either of them and the capstone or base of the pier shall not exceed four feet.

Floor-beams.

SEC. 18. Floor beams shall have a bearing of at least four inches at each end. Every trimmer or header more than four feet long, used in any building except a dwelling, shall be hung in stirrup irons of suitable thickness for the

weight to be supported. The butts or ends of all floor beams and rafters entering a brick wall shall be cut on a splay of three inches in their width. All main partitions supporting in any manner the floor beams or rafters shall be placed directly over each other, and shall rest on a wall girder, or hard-pine capping, and shall head and foot against each other as far as practicable.

Partitions.

Roof or floor timbers entering the same party wall from opposite sides, shall have at least four inches solid brick-work between the ends of said timbers.

Roof or floor timbers.

Under the ends of iron or wooden girders, resting in walls, a stone template shall be built into the wall not less in width than four inches less than the thickness of said walls, and not in any case less than four inches in thickness and eighteen inches long. Iron wall plates may be used in place of such templates, not less than one inch in thickness.

Stone template.

SEC. 19. Flat roofs shall be constructed to bear a safe weight, exclusive of materials, of not less than fifty pounds per superficial foot. Floors (except attic floors) shall be constructed to bear a safe weight, per superficial foot, exclusive of materials, as follows: For dwelling houses, tenement houses, apartment houses, hotels, boarding houses, and stables, not less than seventy pounds; ordinary school rooms and rooms for light mechanical purposes, not less than one hundred pounds; theatres, public halls, churches, and all rooms liable to be crowded with people, not less than one hundred and twenty-five pounds; stores, factories, mills and business buildings, not less than one hundred and fifty pounds; storehouses, warehouses, machine shops, armories and drill rooms, not less than two hundred and fifty pounds.

Iron wall plates.

Strength of roofs and floors.

No floor shall be loaded with a greater weight than that above assigned to its class, unless it shall have been previously examined by a competent architect, civil engineer, or master builder, not interested in the construction of the building, who shall give a certificate of the weight per square foot such floor can safely sustain, a copy of which certificate shall be posted in a conspicuous place above or adjacent to such floor, and the weight therein named shall in no case be exceeded.

Examination of floors.

- Overloading of floor. No person shall load any floor to a greater degree than above named, or shall remove any certificate posted as above.
- Restrictions upon bay or oriel windows. Act of 1894, Ch. 1339, Sec. 4. SEC. 20. No bay or oriel window or other structure shall be placed upon any building so as to project over any public way or square more than four feet, and then only in such manner as shall be approved by the inspector of buildings; but in no case shall any such projection extend below a line drawn at an angle of forty-five degrees, starting at a point eight feet above the sidewalk immediately beneath; nor shall any oriel or bay window or other structure extend beyond a line drawn horizontally from the nearest corner of the adjacent lot, at an angle of thirty degrees with the street line. All such projections shall be provided with gutters and conductors to prevent as far as possible any water from dripping or flowing on to the sidewalk.
- Projections over any public way. The roof of every brick, stone or iron building, all roofs to tenement and lodging houses, and the roofs of all wooden buildings in the first district shall be covered with incombustible material.
- Roofs. Ch. 1339, as above. The roof of every brick, stone or iron building, all roofs to tenement and lodging houses, and the roofs of all wooden buildings in the first district shall be covered with incombustible material.
- Cornices. Ch. 1339, as above. Incombustible cornices shall be well secured to the walls independent of any woodwork, and in all cases the walls shall be carried up to the planking of the roof behind the cornice, and where the cornice projects above the roof, the wall shall be carried up to the top of the cornice; and all exterior wooden cornices on brick, stone or iron buildings that shall hereafter require to be replaced, shall be constructed of some non-combustible material, as required for new buildings; and every exterior wooden cornice or gutter on brick, stone or iron buildings that may hereafter be damaged by fire to a greater extent than one-half the whole thereof, shall be taken down, and if replaced shall be constructed in accordance with the provisions of this act.
- Leaders for water. Ch. 1339, as above. Buildings fronting on a street shall be kept provided with proper leaders for conducting the water from the roof to the ground, sewer, street gutter, or dry well, in such manner as shall protect the walls and foundations from damage; and in no case shall the water from the said leaders be allowed to flow upon the sidewalk. No building, except churches
- Not to overflow sidewalk.

and grain elevators, shall exceed eighty feet in height to the highest point from the level of the finished grade, exclusive of chimneys and party walls above the roof, unless all of said building above such height shall be constructed in a fire-proof manner as herein named, to wit: all joists, beams, rafters, purlins, jack-rafters, plates, studs, ties, and arches, shall be made of and covered with incombustible material. Structures or projections above or outside of the roof of buildings over sixty feet high, shall be made, constructed, framed and covered with incombustible material.

Buildings shall have scuttles not less in size than two by three feet, or bulkheads and doors on the roof, shall have stationary ladders or stairs leading to the same, and such scuttles and ladders shall be kept so as to be ready for use at all times.

SEC. 21. Chimneys shall be built of well-burned brick or clay pipe, stone or iron. Brick flues shall have joints filled and struck, and be smoothly plastered outside below the roof; plastering to be put on after the chimney is built up the full height. Iron or clay pipe, if used, must be enclosed in a brick flue, or in an outer pipe of non-combustible material, with a space between of not less than one inch; and all joints in such pipes must be thoroughly filled with fire-clay or incombustible cement; brick chimneys must have outer brick walls at least four inches thick. Outside walls of flues not over one hundred inches in area, for ranges, furnaces, boilers and ovens, shall be of at least six inches, if of greater area of at least eight inches, of brick-work.

Brick flues not starting from the foundation walls, shall be securely built into the brick work of the walls to which they are hung. In no case shall chimneys rest upon any flooring without a footing of masonry or iron supported by iron beams, having a secure bearing on masonry or iron at either end. The brick-work of an isolated chimney shall not be carried over more than three quarters of an inch to each course of brick, nor so far as to throw the centre of gravity of said chimney outside of the base thereof. Flues shall be topped out at least three feet above the roof; brick

Buildings, except churches and grain elevators, to be fire-proof beyond eighty feet of height.

Structures on roofs.

Scuttles.  
Bulkheads.

Ch. 1339, as above.

Chimneys, flues, and heating apparatus.

Same subject.

topping of chimneys shall not project more than two inches, unless covered by metal, stone, or terra cotta caps, well secured.

Hearths.

Hearths of fire-places or grates shall be laid upon incombustible supports. Wooden centering, supporting a trimmer arch, shall be removed before plastering underneath.

Brick-work back of  
grates.

Brick-work back of all grates, fire-places and ranges shall be not less than eight inches thick; and when it adjoins a wooden or stud partition, shall have at least two four-inch walls with at least a two-inch air space between. No wood-work shall be secured to the brick-work of any flue.

Smoke-pipes.

Smoke-pipes in buildings having combustible floors or ceilings, shall enter flues at least twelve inches from floors or ceilings; and where they pass through stud or wooden partitions, whether plastered or not, shall be guarded by a double collar of metal, with at least a four-inch air-space and holes for ventilation, or by a soapstone ring, at least four inches in thickness, extending through the partition. Earthen funnels in chimneys shall project not more than one inch from the brick-work thereof; metal funnels carried through furring or studding, shall be filled around with brick or stone, for at least six inches out from the pipe, and shall pass entirely into the chimney, or have an outer ring of metal at least four inches at every point from the funnel, the space between to be left open or covered with perforated metal.

Earthen funnels in  
chimneys.

Smoke-pipes.

The smoke-pipe of any hot air, steam, hot water or other furnace, passing beneath wooden beams or ceilings, shall be kept at least eighteen inches therefrom, or the wood-work shall be protected by a tin shield suspended at least one inch below. Tops of furnaces set in brick shall be covered with brick so as to be perfectly tight, in addition to and not less than two inches from the covering of the hot air chamber, and shall be at least four inches below, and the tops of portable furnaces at least one foot below, any wooden beams or ceilings. Cold air boxes to furnaces shall be of incombustible material.

Furnaces.

Cold air boxes.

Registers.

Registers connected with hot air furnaces shall be set in non-conducting, incombustible borders at least two inches



wide. Register boxes shall be made of tin plate with a flange on the top to fit a groove in the border. There shall also be an open space of not less than one inch on all sides of the register box, (extending in floor registers from the under side of the ceiling, below the register, to the border in the floor), the outside of said space to be covered with a casing of tin plate, made tight on all sides, to extend to and turn under the said border. Registers of fifteen by twenty-five inches or more shall have a space of not less than two inches.

No wood-work shall be placed at a less distance than one inch from any tin or other metal flue or pipe used or to be used to convey heated air, unless protected by a soapstone or earthen ring or tube, or a metal casing so constructed as to permit free circulation of air around said pipe or flue.

Hot air pipes.

Range or boiler flues shall be faced with brick or plastered directly upon the bricks up to the ceiling of the room, and no wood-work shall be placed on the outside thereof below said ceiling.

Range or boiler flues.

Stoves shall be placed upon incombustible bases. Their bodies shall be at least twenty, and smoke-pipes at least twelve inches from any unprotected wood-work. Wood-work within said distances shall be protected by metal covering, and if within less than one third of said distances, shall have a double metal covering with ventilating air space between.

Stoves.

Open fire-places, cooking ranges, set kettles, and the like, shall have fire-proof foundations, with fire-proof hearth extending not less than sixteen inches from the grate or ash-pit. No brick structure to contain fire shall be allowed on a wooden floor in any building. The provisions of this section shall apply to buildings already erected, if found necessary, and ordered after examination of the premises, by the inspector.

Foundations for fire-places.

No heater shall be used in any room where hay, straw, or highly inflammable articles are kept or stored, unless protected by a surrounding wire screen with not more than quarter-inch meshes; no lights shall be used in such room unless contained in a glass globe, lantern or chimney, thoroughly protected by a wire screen.

Heat and light where inflammable articles are stored.

Steam pipes.

Steam pipes shall be kept at least one inch from all wood-work, or shall be protected by an incombustible ring or tube, or rest on iron supports.

Ash depositories.

Depositories for ashes in the interior of any building shall be built of incombustible material.

Unsafe chimneys, flues or heating apparatus.

If any chimney, flue, or heating apparatus, shall in the opinion of the inspector of buildings be unsafe by reason of endangering the premises by fire or otherwise, the inspector shall at once notify in writing the owner, agent, or other party having an interest in said premises, who, upon receiving said notice, shall make the same safe in pursuance of the terms of said notice.

Boiler rooms.

SEC. 22. Boiler houses and boiler rooms in wood-working establishments, or where inflammable materials are used, or where shavings or other highly inflammable fuel is used, shall be enclosed with brick, stone or concrete walls, or iron studs, filled with concrete. Roofs or floors over such boiler rooms shall be made of iron, brick, stone or concrete arches or slabs, or if of wood shall be protected with fire-proof tile or plastered on iron laths, or wire netting, or covered with metal. The doors to such rooms shall be of iron, or of wood covered with metal, and have an opening in said door glazed with not less than one quarter inch thick glass, and shall be kept securely shut, except during working hours. The floors of rooms containing stationary boilers shall be made of incombustible material for at least ten feet in front, and for such distance on the sides and rear as may be required by the said inspector. Wooden floors under portable boilers shall have close protection of incombustible material.

Protection of wood-work.

No wood-work shall be placed within one foot of such boiler or smoke-pipe, or within six feet of the front, four feet of the sides, top, rear, or smoke conductor, unless protected by fire-proof tiles at least one half inch thick, or by being plastered on iron laths or wire netting, or by metal sheathing with at least a one inch air-space between the wood and metal; the overheads, immediately over hot water or low pressure steam boilers, used exclusively for heating, if within four feet of the top thereof, may be plastered on wooden laths, or sheathed with metal.

Rooms for drying lumber or other inflammable material heated by direct heat from the top of boilers, shall be constructed and roofed and have doors as described for boiler houses.

Drying rooms.

SEC. 23. Brick buildings, to be used for dwelling, tenement, and lodging houses, not more than twenty-five feet in height, and brick buildings other than dwelling, tenement or lodging houses not exceeding twelve feet in height may have external walls eight inches thick.

External walls of brick buildings.

Act of 1894, Ch. 1339, Sec. 5.

SEC. 24. Every building more than fifty feet high, or covering over five thousand superficial feet in area, except dwelling-houses and churches, shall have at least one two-and-one-half inch metallic stand-pipe, with hose coupling and hose or sprinkling pipes accessible from the main stairway on each floor, extending above the roof, and arranged so that an engine hose can be attached from the street. Hose couplings shall conform to the size and pattern adopted by the fire department.

Stand pipes.

SEC. 25. In every building in which there now exists or hereafter shall be placed any hoistway or elevator, not enclosed by fire-proof partitions and doors, nor placed in the well-hole of the stairs, the opening thereof through and upon each floor shall be provided with, and protected by, a good and substantial railing, and good and sufficient trap-doors with which to close the same; and such trap-doors shall be kept closed during the night time, except said hoistway or elevator shall then be in actual use.

Hoistways and elevators.

SEC. 26. Factories, mills and buildings, where more than twenty-five operatives are employed, hotels, boarding, tenement, lodging and apartment houses, and business buildings less than fifty feet high, not hereafter specially mentioned, shall have the partitions adjacent to or enclosing said stairways constructed of incombustible material, or of at least two-by-three studding plastered on both sides and protected as follows: The space from the top of the lathing or head of the partition below to a line three inches above the top of the base board, or six inches above the top of the floor, if there be no base board, and the space adjoining the strings of the stairs from the under side of said strings to a

Stairways and doorways.

line three inches above the base board thereof, or six inches above the rake of the nosings, if there be no base board, shall be filled in solid with brick or stone set in mortar, concrete grouting, tile, or other incombustible filling; if the stairs are wainscoted, there shall be a similar filling three inches above and below the top lines of the wainscoting; and when such buildings are over three stories high, warehouses, store-houses and business buildings over fifty feet high, said partitions shall be constructed as above described, and shall be further either filled solid in a similar manner for the whole height thereof, or be plastered on the sides adjoining the stairway on iron laths or wire netting, or covered with tile or other incombustible, non-conducting material.

Partitions for stairways.

Public halls, churches, school-houses, and places of public assembly, not hereafter excepted, and business buildings within the first building district, shall have stairway partitions constructed as herein described; but unless filled in solid, shall be plastered on both sides on iron or wire laths, or be covered with other incombustible, non-conducting material.

Stair landings.

In all buildings herein mentioned the spaces between the floor-joists in each story at the stair landings, and the space above the floors immediately below the stairs, if ceiled with wood or plastered on wood laths, shall be filled with mortar or concrete from the top of the laths or ceiling to one-half inch above the bottom of the floor-joists, and all connection between such spaces and other parts of the floor shall be stopped off by similar filling.

Stairways in theatres.

In theatres or public halls fitted for theatrical performances, stairway partitions and enclosures must be substantially incombustible.

Pitch of stairs.

Stairs occupied by or exits leading from any place of public assembly, shall not have a pitch greater than eight inches rise to twelve inches run, nor shall discharge at right angles with, or confronting each other, upon or into any common landing or corridor of less than the united width of such exits, nor unless separated by a sufficient railing or partition.

Inclines.

Whenever practicable, inclines at a pitch not exceeding one in ten shall be substituted for stairs.

No doorway or stairway leading from a theatre or other place of public assembly, shall be less than five feet wide ; and the aggregate width of doorways and stairways, from galleries or interior compartments of such buildings, shall be in the proportion of at least eighteen inches to each one hundred persons at any time contained therein. Exterior openings or stairways shall have the same proportionate width to the whole number contained in the building.

Width of doorways  
and stairways.

Exterior exits.

Buildings over two stories high, where combustible articles or materials are manufactured, wherein over two hundred operatives are employed, must have at least two egress stairways, to be if practicable at least fifty feet apart, and if that distance is not practicable shall have stairways at each end.

Certain buildings  
to have two egress  
stairways.

SEC. 27. Every building or hall which is or shall be fitted up for theatrical or other performances, requiring the use of inflammable materials, stage, etc., shall be provided with not less than two stand-pipes, at least two and one half inches in diameter, located in such positions as the inspector of buildings shall approve, to each of which shall be attached one or more lengths of hose or sprinkling pipes, so as to reach every part of such stage and audience room and the connections therewith. And whenever said stage or hall shall be in use, such stand-pipes shall have the water turned on and a suitable person stationed at the hose ready for service. Every building which may hereafter be built for the purposes herein set forth, shall have the staircases connecting with all floors and galleries enclosed with fire-proof walls or partitions; and the staircase from the stage shall be accessible from every level of its appurtenances. The wall separating the stage from the audience room shall also be of fire-proof material from the level of the ground to the roof, and all openings in such wall shall be closed with incombustible shutters or doors, or curtains which shall be lowered at the close of each performance.

Public assembly  
buildings.

The overheads immediately beneath the floors of the auditorium, stairways or corridors of places of public assembly to be hereafter built, shall be plastered on iron laths, or wire netting, or protected by incombustible material, unless

Overheads to be  
plastered.

such floor be within three feet of the ground, and the space thereunder be enclosed by incombustible walls, and kept clear of combustible material or heating apparatus. The auditoriums of churches shall be exempt from these requirements: *provided*, the premises thereunder be used for church purposes only, and the heating apparatus be enclosed in a room properly guarded against taking fire.

Churches exempt,  
when.

Tenement and lodg-  
ing houses.

Act of 1885, Ch. 502.

Sleeping rooms.

Ch. 502, as above.

Halls.

Fire-escapes.

Ch. 502, as above.

Roof and stairs.

Ventilation.

Ch. 502, as above.

Chimneys.

Ch. 502, as above.

Regulation by the  
board of health.

Ch. 502, as above.

SEC. 28. Tenement and lodging houses shall conform to all the requirements for dwelling-houses hereinbefore contained, and to the following provisions, viz.:

Every sleeping room not communicating directly with the external air, shall have a transom window at least three square feet in area over the door leading into the adjoining room, if such room communicate with the external air, and also over the door leading into the hall; where said room cannot ventilate into the hall, it shall have a window opening into an adjoining room which communicates with the hall. The halls on each floor shall have suitable windows, and shall not be obstructed by rooms or otherwise at the ends, unless light and ventilation therefor is otherwise provided.

Every tenement or lodging house shall have proper means of escape in case of fire. The roof of every such house shall be kept in good repair, and no water therefrom shall be suffered to drip to cause dampness in walls, yard or area. Stairs shall have proper balusters or railings, and be kept in good repair.

Every habitable room less than one hundred feet in area shall connect directly with the external air, or have an open fire-place, or be provided with a special air-shaft extending to the roof, or be otherwise properly ventilated.

Every such house shall have adequate chimneys running through every floor, with an open fire-place or grate, or place for a stove, properly connected with one of said chimneys, for every family and set of apartments.

The board of health may make such other regulations for the safety and ventilation of tenement houses as they may deem necessary to protect the health of occupants, or the public health.



No building hereafter erected, or portion thereof, shall be leased, rented or occupied as a lodging or tenement house, unless it shall conform in its construction and appurtenances to the requirements for dwelling-houses hereinbefore contained, and shall not be over three stories high or two thousand square feet in area, unless its exterior walls are of brick, stone or concrete; and on streets twenty feet or less in width, shall not be over thirty-five feet high. No such house shall exceed two thousand square feet in area, unless divided by a brick wall without openings.

Area of tenement houses.

Ch. 502, as above.

SEC. 29. Such person as the board of aldermen may direct is hereby authorized to issue permits for the construction of coal-holes, and vaults under the sidewalk, upon the following conditions, viz.:

Coal-holes and sidewalk vaults.

The outer wall next to the carriage-way or roadway shall be not less than thirty inches thick and formed of granite or building stone laid with good cement; and no part thereof within two feet of the top of the edgestone shall project beyond the edgestone. The side walls shall be at least one foot thick of good hard brick or granite blocks, or sixteen inches thick of building stone, and must be laid in cement mortar. The top shall be formed either by a brick arch turned in a good and substantial manner, or by covering with rough-hammered granite at least eight inches thick, or bluestone or North River flagstone at least six inches thick, or iron and glass similar to the "Hyatt Light," as it is called, or with rough surface iron.

Construction of sidewalk vaults.

The aperture in the sidewalk over any coal-hole or vault shall not exceed eighteen inches in diameter, and shall be covered with a substantial iron plate with a rough surface, or with iron and glass as is hereinbefore provided. The entire construction of such coal-holes and vaults shall be subject to the directions and supervision of the inspector of buildings, or such person as the board of aldermen may designate. Coal-slides may be placed in the sidewalks, if constructed of at least eight-inch brick walls laid in good cement, and the hole covered with a proper, substantial, rough iron plate.

Aperture of coal-hole.

Coal-slides.

Liabilities for damages.

The owner and tenant of the abutting estate, in front of which the coal-hole or vault is constructed, shall be responsible to the city for damages to persons or property in consequence of any defect in the construction of such vault or coal-hole, or for allowing the same or any portion thereof to remain out of repair; and such owner and tenant shall be required to keep the said vault or coal-hole, its walls and coverings, in good order at all times, and the tenant shall be responsible to the city for damages occasioned to persons or property in consequence of the aperture in the sidewalk being left uncovered, or from the covering thereof being left insecure or unfastened.

Coal-holes not to be left open.

No person shall leave such coal-hole, excavation or aperture opened or unfastened after sunset, nor in the day time, unless while in use by some person actually attending the same.

May be secured by inspector.

Whenever any coal-hole or vault under any sidewalk or any aperture constructed therein shall not be covered, or secured as provided in the preceding paragraphs of this section, or shall, in the opinion of the board of aldermen, be unsafe or inconvenient for the public travel, said board may order the same to be removed, and a suitable one put in its place; and if the same shall not be done within ten days from the service of the said order on the owner or tenant of the premises, or other person having the care thereof, the inspector of buildings shall make such change, and the expense thereof shall be paid by such owner, tenant or other person having the care of the premises.

Steam boiler or furnace under the sidewalk.

The owner or occupant of any estate may, with the permission of the board of aldermen, locate and use under the sidewalk and street adjoining the same, steam boilers, furnaces, or other heating apparatus, but no explosive substance nor any inflammable oil shall be placed or kept, and no cesspool or privy shall be built or used, under any street or sidewalk; nor any excavations, when permitted, be ventilated into said sidewalk.

Excavations may be filled.

Any excavation under a sidewalk shall be closed and filled up at the owner's expense, after one week's notice to that effect given by the board of aldermen.

Every application for a permit, under this section, shall be made in writing, and be signed by the applicant, and shall set forth the dimensions of the proposed excavation or aperture, and the purpose for which it is to be used; and such excavation or aperture shall not be used for any other purpose than that stated in the application, without the consent of the board of aldermen; and such permit may at any time be revoked by said board. Every such applicant will be required to sign an agreement to conform to the requirements of the conditions upon which the application is granted. Said conditions shall be printed upon each permit, and any violation of the same shall work a forfeiture of the privilege thus granted, and the board of aldermen shall cause such privilege to be revoked accordingly.

Permits for use of space under the sidewalk.

SEC. 30. No person shall hereafter erect, alter or enlarge any building for a stable, except in such place as the board of aldermen shall first approve and direct. The supreme court or any justice thereof, either in term time or vacation, may issue an injunction to prevent the erection, altering, enlarging or use of any stable contrary to the provisions of this section.

Stables.

SEC. 31. [Repealed by Chapter 502 of April 24, 1885.]

SEC. 32. Every person desiring to remove a building shall make application to the inspector of buildings, stating the length, width and height thereof, materials of exterior walls and roof, the place from and to which, and the route by which, it is to be carried, and the time required for removal, and shall sign an agreement to make said building conform to the requirements of law for a new building in the new location. The inspector shall thereupon have said building examined, and if it be found not liable to endanger adjoining property, or to endanger or unduly incommode the public, shall, with the approval of the highway commissioners, issue a permit for its removal.

Removal of buildings.

No lamp post shall be disturbed except by written consent of the superintendent of lights, and no tree shall be cut except by written consent of the highway commissioners. Damage to public or private property shall be repaired at the expense of the mover.

Lamp posts and trees.

Lights at night.

Whenever and so long as any building or section of a building shall remain in or upon a highway, the person removing the same, or the owner thereof, shall by night keep a good and sufficient red light at each end of said building, and a suitable watch about the same.

License to move building.

No person shall move a building into or through any street without being licensed for such business. Licenses may be issued by the inspector to any suitable person filing in his office an application therefor, accompanied by a bond for one thousand dollars, with satisfactory surety for compliance with the requirements of this act; said license shall be forfeited by any violation of this act, and shall not be renewed until the penalties incurred are satisfied.

Unsafe buildings.

SEC. 33. Whenever it shall be proposed to erect a building against a party wall, about which wall there shall exist doubts as to its ability to sustain safely the increased load to be put thereon, the inspector of buildings shall cause a survey to be made by three competent persons — architects, master-builders or civil engineers — whose opinion shall be conclusive as to the necessity of rebuilding said party wall; and if said persons decide that the said wall should be rebuilt, the same may be rebuilt, and the costs and damages incident thereto shall be paid by the parties in proportion to the benefits received therefrom.

Survey of party wall.

Examination of structures reported unsafe.

If any building or part of a building, staging, or other structure, or anything attached to or connected with any building, or other structure, shall from any cause be reported unsafe, the inspector of buildings shall examine such structure, and if in his opinion the same be unsafe, he shall immediately notify the owner, agent, or other person having an interest in said structure, to cause the same to be made safe and secure, or that the same be removed, as may be necessary. The person so notified shall be allowed until twelve o'clock, noon, of the day following the service of such notice, in which to commence the securing or removal of the same; and he shall employ sufficient labor to remove or secure the said building as expeditiously as can be done: *provided, however*, that in a case where the public safety requires immediate action, the inspector of buildings may

enter upon the premises with such workmen and assistants as may be necessary, and cause the said unsafe structure to be shored up, taken down, or otherwise secured, without delay, and a proper fence or boarding to be put up for the protection of passers-by.

When the public safety does not demand immediate action, if the owner, agent or other party interested in said unsafe structure, having been notified, shall refuse or neglect to comply with the requirements of said notice within the time specified, then a careful survey of the premises shall be made by three disinterested persons, one to be appointed by the inspector of buildings, one by the owner or other interested party, and the third chosen by these two, and the report of such survey shall be reduced to writing, and a copy served upon the owner or other interested party ; and if said owner or other interested party refuse or neglect to appoint a member of said board of survey within the time specified in said last notice, then the survey shall be made by the city engineer and the overseer of public buildings in said city, and in case of disagreement they shall choose a third person, and the determination of a majority of the three so chosen shall be final.

Whenever the report of any such survey shall declare the structure to be unsafe, and the owner or other interested person shall for three days neglect or refuse to cause such structure to be taken down or otherwise be made safe, the inspector of buildings shall proceed to make such structure safe or remove the same ; and the costs and charges shall become a lien upon said estate, to be collected according to the provisions of Chapter 165 of the General Statutes, but without prejudice to the right which the owner thereof may have to recover the same from any lessee or other person liable for repairs : *provided*, that nothing herein contained shall authorize the recovery by the lessor of the lessee of the cost which may have been rendered necessary through the default or negligence of the lessor, or through want of repair or defects existing in said premises at the commencement of the lease.

Survey by disinterested persons.

Powers of the inspector.

Penalty for not taking down unsafe structure.

Upon citation to the owner or lessee of any structure alleged to be unsafe by the inspector of buildings, if the owner, or other interested party, being notified thereof in writing, shall refuse or neglect to cause said structure to be taken down or otherwise made safe, said owner, or other interested party, shall forfeit to the use of the city, for every day's continuance of said refusal or neglect, a sum of fifty dollars. Any owner or other interested person aggrieved by any order made by the inspector of buildings under the provisions of this section may, within three days after the service thereof upon him, apply to the supreme court, if sitting in the county, or to any justice thereof in vacation, for a jury trial, and the court or justice thereof shall issue a warrant for a jury, to be empanelled by the sheriff within fourteen days from the date of the warrant; which jury may affirm, annul or alter such order, and the sheriff shall return the verdict to the court, if in session, and if not in session to the next term thereof, for acceptance, and being accepted, it shall take effect as an original order. If the order is affirmed, costs shall be taxed against the applicant; if it is annulled, the applicant shall recover such damages as the jury may award him, and costs against the city; if it is altered in part, the court may render such judgment as to damages and costs as justice may require.

Right of appeal

Right of the city to recover penalties.

Nothing contained in the preceding section shall be construed to bar the right of the city to recover the penalty enacted for the continuance of the refusal or neglect of the owner or other interested party to cause the structure in question to be taken down or otherwise made safe, unless the order is annulled by the jury.

Injunction.

In case the building or structure alleged to be unsafe shall be in process of erection, alteration or repair, the supreme court, or any justice thereof, either in term time or vacation, upon application may issue forthwith an injunction restraining further progress in the work on said building until the facts of the case shall have been investigated and determined as hereinbefore provided.

Buildings which appear dangerous in case of fire.

If any building shall appear upon examination by the inspector of buildings to be especially dangerous in case of



fire, by reason of insufficient thickness of walls, overloaded floors, defective construction, or other causes, such building shall be held and taken to be unsafe within the meaning of, and subject to all the provisions of, this act; and the inspector of buildings, besides proceeding as hereinbefore provided, may affix a notice of the unsafe character of the structure to a conspicuous place on the exterior wall of said building.

Upon complaint, the inspector shall examine any hotel, boarding, lodging, tenement or apartment house, mill, manufactory, office, workshop having employees on any story above second story, or church, now erected, and shall require such building to be provided with proper and sufficient fire-escapes, stairways and exits, constructed as described in this act; but in all such buildings, except factories, mills, manufactories and workshops, stud partitions already built shall be exempt from the requirements hereof. The inspector shall further examine all other buildings for public assembly, already built, and also boiler houses and rooms, and their heating apparatus, now built; and if in his judgment the safety of the public requires it, he shall require that the same be made to conform to the provisions of this act.

SEC. 34. Any wooden building in the first district may be altered or repaired, subject to the approval of the inspector of buildings, provided its area or height is not increased; except, whenever an old building shall be torn down or burned to the extent exceeding one-half of such building (such half to be measured in cubic feet) the rebuilding thereof shall be termed the erection of a new building. No wooden building shall be removed from without to within the first district.

SEC. 35. No wooden building, other than dwellings, coal, or grain elevators, and ice houses, provided such ice houses are not located nearer than seventy-five feet to any other building used for any other purpose, shall be built in the second district, the area of which shall exceed two thousand feet, or which shall be more than thirty feet in height. Said area shall not, however, include any open shed

Fire escapes may be required.

Exemptions.

Wooden buildings in first district.

Act of 1894, Ch. 1339, Sec. 6.

Wooden buildings in second district.

Act of 1897, Ch. 483, Sec. 1

attached to any building, nor shall said height include any ventilator, stairway, bulkhead, or church spire: *provided, however,* that all such sheds, ventilators, bulkheads, and spires shall have their roofs covered with incombustible material. All wooden buildings, except coal or grain elevators and wooden buildings built on wharves, piers, or bulkheads, if built within five feet of an adjoining lot line, or an adjoining building, shall have the external wall, on such side or sides, built of brick at least eight inches thick, or the space between the studding filled in flush full with brick and mortar, or some other equally incombustible material: *provided,* that in that portion of the city which, previous to the passage of Chapter 1339 of the public laws, was not included in the building districts of said city, this provision shall not apply to dwelling houses constructed within five feet of an adjoining lot line, when no building exists upon such adjoining lot within ten feet of the proposed dwelling house. Party walls or division walls between adjoining houses, thirty-five feet or more in height, shall be of brick not less than twelve inches thick to the top of the second floor above the street and eight inches thick for the remaining height; such walls less than thirty-five feet in height may be eight inches thick for the entire height. Doorways may be cut through, or built in said walls, upon application to, and a permit from, the inspector of buildings: *provided,* that no doorway shall be cut through or built in any such wall in any building used for a hotel, lodging, or tenement house, or for the storage of inflammable or dangerous materials. Every such doorway shall be provided with tin covered, self-closing doors, satisfactory to the inspector of buildings. Upon proof being shown that said doors are in any manner prevented from operating as intended, said inspector shall have the power to revoke said permit, and said doorway shall be filled up with brick and mortar or some similar material. In dwelling houses the brick wall shall be built up to the roof covering, which shall be laid and imbedded in mortar or cement upon said wall.

Fire-stops and  
smoke-stops.

Act of 1895, Ch. 1411,  
Sec. 2.

SEC. 36. Every brick building and all wooden buildings, except dwelling houses, in the second district, shall have a fire-stop of incombustible material at each floor, from the

June 13, 1894.

See Sec. 4, page 90.

bottom of the floor joist to three inches above the top of the same. Said fire-stop at each floor shall fill the spaces full between the studding and furring entirely around the external walls of the building and through the interior wherever the floor joists have a bearing. All dwelling houses in the second district shall have a fire-stop similar to the above at the first floor. Said dwelling houses at each floor above the first shall have a smoke-stop of wood the full depth of studding and not less than two inches thick. An incombustible fire-stop shall be put around all vertical piping at each floor. All ventilating ducts or pipes shall be of incombustible material. No building shall be covered by lathing, sheathing or otherwise until the inspector of buildings has by examination ascertained that said building is in compliance with the above provisions. Said inspector shall be notified by the owner or duly authorized agent, or by the builder, whenever any building is ready for inspection.

SEC. 37. In all cases where, by the provisions of this act, notice is required to be given, such notice shall be served by posting a written or printed copy thereof on the premises concerned, and either leaving a duplicate copy thereof at the usual place of abode of the party interested, if within the city, or by mailing such duplicate in a registered letter to the usual address of said party, if residing without the city, or publishing the said notice for three successive days in the newspapers employed to do the city printing. Any notice served upon the architect or other duly authorized agent in charge of any building or estate, shall be binding upon the owners thereof.

Notices, how to be served.

Any person violating any provision of this act wherein no penalty is herein otherwise prescribed, shall be fined twenty dollars for every violation thereof, and shall be fined not exceeding twenty dollars for each day's continuance of the said violation after the service of the warrant issued upon the first complaint.

Penalty.

The supreme court in term time, or any justice thereof in vacation, may restrain by injunction any violation of this act, and may, according to the course of equity, secure the fulfillment and execution of the provisions thereof.

Injunctions.

Fines to be paid into city treasury.

Fines recovered for the violation of any of the provisions of this act shall be paid into the city treasury.

Inconsistent acts repealed.

SEC. 38. All acts and parts of acts inconsistent herewith are hereby repealed.

**Chapter 1406**  
of May 17, 1895.

AN ACT IN ADDITION TO CHAPTER 688 OF THE PUBLIC LAWS, PASSED AT THE JANUARY SESSION, A. D., 1878, ENTITLED "AN ACT IN RELATION TO BUILDINGS IN THE CITY OF PROVIDENCE AND FOR OTHER PURPOSES."

SECTION

1. Notice of intention to build.
2. Street line and grade to be defined.
3. Permit to build.

SECTION

4. Obstructions in street prohibited; penalty.
5. Operative clause.

*It is enacted by the General Assembly as follows :*

Notice of intention to build.

SECTION 1. Every person intending to erect any building or other permanent structure within ten feet of any street or highway in said city, whether said street or highway is duly received by said city or otherwise dedicated to public use, or to alter the location of the external wall of any existing building, which wall is in like proximity to such street or highway, shall, six days before proceeding to build or to alter the location of such external wall, and before taking out a permit for the same, file in the office of the city engineer a written notice of such intention, stating the use and location of the structure as proposed.

Definition of street line and grade.

SEC. 2. The city engineer shall, within five days after receiving the notice specified in the foregoing section, proceed to mark out and define the street line adjacent to the proposed structure, if such line can be accurately determined. He shall also, within the said time, mark the grade of the adjacent street if such grade has been duly established or defined, and shall make such return of said marking of line and grade to the inspector of buildings as shall be necessary for said inspector's information.

Permit to build.

SEC. 3. The inspector of buildings shall not issue any permit for building until he is satisfied that the applicant has complied with the provisions of the foregoing section.

SEC. 4. No person shall obstruct any street in said city, or any part thereof, by building or placing therein any temporary or permanent structure, or any portion of such structure, except in conformity with the provisions of said Chapter 688 of the public laws, and of the acts in amendment thereof, and in addition thereto. Any person thus obstructing any street as aforesaid, or aiding or assisting therein, shall be fined twenty dollars for every such obstruction, and shall also be fined not exceeding twenty dollars for each day that such obstruction shall continue.

Obstructions in street prohibited.

Penalty.

SEC. 5. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect from and after its passage.

Operative clause.

AN ACT IN AMENDMENT OF CHAPTER 688 OF THE PUBLIC LAWS ENTITLED "AN ACT IN RELATION TO BUILDINGS IN THE CITY OF PROVIDENCE AND FOR OTHER PURPOSES," AND THE SEVERAL ACTS IN AMENDMENT THEREOF AND IN ADDITION THERETO.

**Chapter 636**  
of March 3, 1899.

SECTION

1. Shelters over sidewalks.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The board of aldermen of the city of Providence is hereby authorized at any time in its discretion to permit the owner or owners of any estate and building thereon which abuts on any public street or highway to construct and maintain a shelter from such building over the sidewalk abutting on such estate, and support the same by posts or other supports set upon or next to the curbstone in such sidewalk: *provided*, that every part of such shelter except such posts or supports shall be at least nine feet above such sidewalk; *and provided*, that with the application for such permit shall be filed a plan and specifications of such shelter, which shall be referred by said board of aldermen to the inspector of buildings of said city, who shall approve the same before the granting of any such permit. In case such permit shall be granted the work shall

Shelters over sidewalks.

be done under the inspection of said inspector. Said board of aldermen may at any time in its discretion revoke any such permit and order any such shelter to be removed by the owner or owners of such estate, and in case of their failure to remove the same within three days after notice given in the manner provided in said Chapter 688 and the acts in amendment thereof and in addition thereto, the commissioner of public works of said city shall cause the same to be forthwith removed.

Operative clause.

SEC. 2. This act shall take effect from and after its passage.

## General Laws

Chapter 108.

### OF PROTECTION TO LIFE FROM FIRE IN CERTAIN BUILDINGS.

#### SECTION

1. Fire escapes.
2. Inspector of buildings.
3. Duties of the inspector.
4. Fire escapes may be required.
5. Exemptions.
6. Certificate of compliance with law ; certificate may be revoked.
7. Right of entry by owner on leased premises.
8. Liability of owner.

#### SECTION

9. Penalty for non-compliance.
10. Board of appeal.
11. Appeals, how taken.
12. Appeals, how heard.
13. Inspector's neglect to be deemed refusal.
14. Costs of appeal.
15. Elevators.
16. Guards and gates ; inspection.

Fire-escapes.

SECTION 1. Every building three or more stories in height, now or hereafter used wholly or in part as a seminary, college, academy, school house, hospital, asylum, hotel, lodging-house for the accommodation of transient guests, factory or workshop in which employees are usually working in the third or any higher story thereof, and every building used for office purposes three or more stories in height, shall be provided by the owner or owners thereof either with proper and sufficient, strong and durable, metallic fire-escapes upon the external walls, sufficient in number, which fire-escapes shall extend from the highest occupied story to the top of the first story of said building, or with proper and sufficient incombustible stairs and stairways at opposite ends of the building, extending from the highest occupied story to the ground ; said stairs and stairways



shall be connected by open passageways of suitable width; said fire-escapes, stairs, and stairways to be suitable and sufficient to afford to persons within said building proper egress from said building in case of fire therein, and to be kept in repair by said owner or owners.

SEC. 2. The town councils of the several towns throughout the state, and the mayors of the several cities, except in the city of Providence, shall annually in the month of January elect an inspector of buildings, who shall be paid such amount for his services as shall be determined by the town or city council electing him.

Inspector of buildings.

See Section 6, page 91.

SEC. 3. It shall be the duty of the inspectors of buildings of the city of Providence and of the other cities and towns, from time to time as may be necessary, to make a careful and thorough inspection of all buildings in the city or town for which they shall be elected, which in their opinion might, by reason of the height thereof, character, or number of stairways, number of persons ordinarily therein, or at work therein, nature of use of said buildings, nature of the industries or occupations carried on therein, or for any other reason, be specially dangerous to persons therein in case of conflagration in said buildings.

Duty of inspector.

SEC. 4. In case any other building than those in the first section hereof specifically mentioned, other than private dwelling-houses not more than two and one-half stories high, occupied by one family, in the opinion of the inspector of buildings for the town or city in which said building is situated, shall require fire-escapes or stairs and stairways as hereinbefore provided, said inspector shall in writing notify and require the owner or owners thereof, within sixty days from the receipt of said notice, to provide said building with such fire-escapes or stairs and stairways; and in such case it shall be the duty of said owner or owners to comply with said notice. Said inspector shall deposit with the city or town clerk for said town or city a true and certified copy of such notice, to be kept on file by said town or city clerk.

Fire-escapes may be required.

SEC. 5. Said inspectors of buildings shall have power within their respective towns and cities, upon the application in writing of any owner or owners of any building in

Exemptions.

said town or city, setting forth specific, just and true reasons why said building should be exempted from the provisions of this chapter, to exempt by written certificate, setting forth the reasons therefor, any building from the provisions of this chapter, whenever, in the opinion of said inspector said building, by reason of location, special features of construction, or for any other reason, does not require said fire-escapes or said stairs and stairways: *provided, however*, that such written application, together with a duly-certified copy of such certificate of exemption, shall by said inspector be deposited with the city or town clerk for said city or town, to be kept on file by said city or town clerk; *and provided further*, that such exemption may at any time be revoked by the inspector of buildings of said city or town upon thirty days' notice in writing to the owner or owners of said building.

Certificate of compliance with law.

SEC. 6. Whenever the inspector of buildings for any city or town shall upon inspection be satisfied that any building in said town or city is provided with fire-escapes or with stairs and stairways, in accordance with the provisions of this chapter, he shall upon request of any owner of said building give to such owner a certificate to that effect, and shall deposit a certified copy thereof in the office of the city or town clerk for said city or town, to be kept on file by said city or town clerk. Such certificate, including any unexpired certificate heretofore issued, shall exempt the owners of said building from all civil and criminal liability under this chapter until revoked as hereinafter provided: *provided, however*, that such certificate may be at any time revoked by the inspector of buildings for said town or city, by notice in writing to such owner to whom said certificate may have been issued, and by filing a copy of said notice of revocation with the said city or town clerk, to be by said city or town clerk kept on file; *and provided further*, that in case said building shall be materially changed or altered in form or use, then such certificate shall be utterly void and of no effect. It shall be the duty of the several city and town clerks to receive and keep on file the notices and certificates provided for in this chapter.

Certificate may be revoked.

SEC. 7. The owner or owners of any building or premises under lease, and their servants and agents, may enter upon such leased building or premises for the public welfare, for the purpose of making said building conform with the provisions of this chapter, and may remain thereon during such time as may reasonably be required for the performance of such work as may be necessary to effect said purpose, interfering with the lessee no more than may be necessary.

Right of entry by owner on leased premises.

SEC. 8. In all cases in which any person shall suffer injury, or in which the death of any person shall ensue, in consequence of the failure of the owner or owners of any building to provide the same with fire-escapes or stairs and stairways, as required by the provisions of this chapter, or in consequence of the failure of said owner or owners to comply with the written notice and requirement of any inspector of buildings, when made in conformity to the provisions of this chapter, such owner or owners shall be jointly and severally liable, to any persons so injured, in an action of trespass on the case for damages for such injury; and in case of death such owner or owners shall be jointly and severally liable in damages for the injury caused by the death of such person, to be recovered by action of trespass on the case, in the same manner and for the benefit of the same persons as is provided in sections fourteen and fifteen of chapter two hundred thirty-three; which action, when the owners are non-residents, may be commenced by attachment. It shall be no defence to said action that the person injured, or whose death ensued as aforesaid, had knowledge that any such building was not provided with fire-escapes or stairs and stairways as required by the provisions of this chapter, or that such person continued to work in or occupy said building with said knowledge.

Liability of owner.

SEC. 9. The owner or owners of any building, or in case such owners, or any of them, be non compos mentis, or a minor, the guardian of any such owner, or in case such owners, or any of them, be non-resident, the agent of any such owner having charge of such property, who shall neglect or fail to comply with the foregoing provisions of this

Penalty for non-compliance.

chapter shall be fined not less than one hundred dollars nor more than five hundred dollars. In case there shall be several owners of any building which shall be continued in violation of said provisions of this chapter, proceedings may be had against any or all of them jointly, or against any one of them, for the recovery of such fine.

Board of appeal.

SEC. 10. The mayor of each of the cities in the state shall, in the month of April, in the year eighteen hundred ninety-seven, and in the month of April in each third year thereafter, appoint three competent men, two of whom at least shall be an architect or master-mechanic, as a board of appeal from the actions or decisions of the inspector of buildings in such city, as hereinafter provided, to hold their offices for three years, and until others are appointed and qualified in their stead; and any two members of such board for the time being shall form a quorum for the transaction of its business; and any vacancy, from any cause, may be filled by the mayor at any time, or from time to time, as occasion may require. And in the several towns of the state, the town council shall constitute such board of appeal from the inspector of buildings of the town.

Appeals, how taken.

SEC. 11. Any person aggrieved by the refusal of the inspector of buildings to give his certificate of exemption under section five, or his certificate of compliance with the provision of this chapter under section six, of this chapter, may appeal therefrom to such board of appeal, in the city or town of such inspector, by filing with such inspector, within three days thereafter, written notice of such appeal, and by filing with the city or town clerk, within three days after such notice, his reasons of appeal in writing, specifying the subject matter of such appeal, and paying to the clerk fifty cents for filing the same.

Appeals, how heard.

SEC. 12. Upon the filing of such reasons of appeal, the clerk shall enter the name of the appellant, with a general description of the building and its location referred to therein, in a book to be by him kept for that purpose; and shall thereupon, pursuant to such general rules as may be adopted by the board of appeal regulating their proceedings, or, in the absence of such rules, by his special order

of which special order he shall immediately give notice to the members of the board, fix a time and place for hearing such appeal, and shall endorse the same in writing upon such reasons of appeal; and the parties thereto and the inspector shall be bound to take notice thereof. And at the time and place so fixed, or at any adjournment thereof, such board of appeal, after hearing such of the parties as see fit to attend, and their allegations and evidence, and after inspecting the premises, shall make their determination in respect thereof in writing, to be filed with such clerk; and such determination shall be final, and the clerk's certificate of such determination shall have the same effect, for all purposes of this chapter, as if given by such inspector at the time of the application to him for the same. And if such appeal shall be from the inspector's refusal to give his certificate of exemption or compliance aforesaid, and such board of appeal shall concur in such refusal, they shall then also determine what they require to be done to entitle the appellant to such certificate; and upon the appellant's compliance with such requirement, such certificate shall be issued to him by such inspector.

SEC. 13. The inspector's neglect to give his certificate, and file a copy of the same with the city or town clerk within three days after application or request made to him as provided in sections five and six of this chapter, shall be deemed a refusal to give the same for the purposes of such appellate proceedings.

Inspector's neglect to be deemed refusal.

SEC. 14. Said board of appeal shall be paid by the city or town such compensation for their services as shall be fixed by ordinance of the city or town council. And the appellant in each case who fails to obtain relief upon his appeal shall pay to the city or town such reasonable costs and charges thereof as the board of appeal shall tax or determine against him. Nothing contained in this chapter shall be construed to relieve any person or any corporation from any liability now existing by virtue of the provisions of this chapter, during the pendency of any appeal, unless said board of appeal shall reverse the decision of said inspector.

Costs of appeal.

Elevators.

SEC. 15. Every elevator used for conveying persons or goods from one story to another of any building, the well of which elevator is not so protected as to be inaccessible from without while the elevator is moving, shall have attached to it some suitable mechanical appliance which shall give automatically, at all times, on every floor of said building which it approaches, a distinct, audible warning-signal that said elevator is in motion.

Guards and gates

SEC. 16. All hoistway and elevator openings through floors where there is no shaft, shall be protected by sufficient railings, gates, trap-doors, or other mechanical devices equivalent thereto, and the same shall be kept closed in the night time or when not in use. Every passenger elevator, except plunger-elevators, shall be provided with some safety-arrangement to prevent falling, and every passenger elevator shall be fitted with some mechanical device to prevent the elevator-car from being started until the door or doors opening into the elevator-shaft are closed; and no person under the age of eighteen years shall take charge of or operate any passenger elevator. It shall be the duty of every inspector of buildings elected or empowered under the provisions of this chapter to inspect all elevators in every building within his jurisdiction, and he shall notify of any violation of this and the preceding section, and require the owner, or some one of the owners of said building, within thirty days after the receipt of such notice, to comply with the provisions of said sections; and it shall be the duty of said owner or owners to comply with such requirement.

Inspection of  
elevators.



## ELECTIONS.

### OF CANVASSING THE RIGHTS AND CORRECTING THE LISTS OF VOTERS.

### General Laws

Chapter 8.

SECTION

22. Board of canvassers and registration; election and term of office.

23. Canvassing and registration of the voters, and preparation of the voting lists.

SECTION

24. Organization; canvass meetings; quorum.

25. Registration.

26. Returns.

27. Powers, duties and penalties.

SECTION 22. In the city of Providence there shall be a board of canvassers and registration consisting of three members, each of whom, hereafter elected, shall hold his office for the term of three years from the date of his election and until his successor is elected and qualified. One member of said board shall be elected by the city council in joint convention on the first Monday in March in each year. In case any person elected as a member of said board shall decline to serve or neglect to qualify, or a vacancy shall occur in said board for any cause, said office or vacancy shall be filled by the city council in like manner for the term of said office or unexpired term. The members of said board shall receive such compensation as the city council shall determine.

Board of canvassers  
and registration.

Election and term of  
office.

Act of 1895, Ch. 1405.

SEC. 23. Said board shall have charge of and receive the registration of persons entitled by law to vote in said city upon being registered, and shall prepare the voting lists of all persons qualified to vote, for the several wards and districts in said city, and shall correct, add to, classify, canvass, post, publish and deliver the same, and perform all the other duties required by law of city, ward and district clerks, and boards of canvassers in cities, in relation to said registration and the other matters within the purview of chapters seven and eight.

Canvassing and  
registration.

Act of 1895, Ch. 1405.

Organization.  
Act of 1895, Ch. 1405.

SEC. 24. Said board shall elect one member as presiding officer and one member as clerk thereof, who shall perform all the duties of presiding officers and clerks of boards of canvassers respectively, and said board shall have an office in said city which shall be open for the purposes of registration at the times required by law, and on each other secular day that the board is not elsewhere engaged in the performance of their duties hereunder. Said board shall hold at least one canvass meeting in each ward prior to each general election, and such meetings may be held in any two or more wards at different hours on the same day, or all may be held on different days, and said board shall hold their last meeting prior to any general or special election to canvass the voting lists of all the wards and districts of said city at said office, or at such other place in said city as said board shall from time to time designate, at the time now or hereafter provided by law; and any canvass meeting required by law to be held at a stated time shall be held by said board at said office or such other place designated as aforesaid. Said board may meet and canvass the voting lists of any ward or wards in any such ward or wards or at said office or other place designated as aforesaid, at any convenient time or times on the same day or different days, not inconsistent with the foregoing provisions. One member of said board shall be a quorum for the purpose of receiving registration, and two members shall constitute a quorum for all purposes.

Canvass meetings.

Quorum.

Registration.  
Act of 1895, Ch. 1405.

SEC. 25. Every person who is, or within a year may be, qualified to vote upon being registered in said city, shall go to said board instead of to the city clerk, and register his name within the same time, in the same manner, and with the same effect, as provided by law relative to registration with city clerks.

Returns.  
Act of 1895, Ch. 1405.

SEC. 26. All returns or other things required by law to be made or furnished to or by city clerks, boards of canvassers, and ward or district clerks, relative to the matters within the purview of chapters seven and eight, shall be made and furnished to and by said board.

Powers, duties and penalties.

SEC. 27. Said board shall have all the powers, duties and obligations, and the members thereof in their several

capacities shall be individually liable to the same fines, penalties and forfeitures provided by law, as city clerks, boards of canvassers and clerks of boards of canvassers, relative to the matters within the purview of chapters seven and eight.

Act of 1895, Ch. 1405.

AN ACT MAKING THE BOARD OF CANVASSERS AND REGISTRATION OF THE CITY OF PROVIDENCE A RETURNING BOARD IN SAID CITY.

**Chapter 363**  
of May 14, 1896.

SECTION

1. Board of canvassers to count ballots in municipal elections and declare the result.
2. Manner of counting; record and certificate of count; certificates of election; new elections.
3. Returns by election officers; penalties.

SECTION

4. Powers of board of canvassers; perjury.
5. Accountability for fees; voting lists to be furnished; salaries; clerks and their compensation.
6. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The board of canvassers and registration of the city of Providence, in addition to the duties now incumbent upon them by law, hereafter shall count all ballots cast at any election in said city, and determine and declare the result of such election, in all cases where the ballots are now counted and the result of the election is now determined and declared by the mayor and aldermen of said city. \* \* \* Said board of canvassers and registration shall also count, determine and declare the result of all ballots cast in said city for and against any proposition submitted to the electors of said city, other than propositions submitted to the people of the state at large.

Board of canvassers and registration to count ballots cast in municipal elections and declare result.

Act of 1901, Ch. 828,  
Sec. 5.

SEC. 2. Said board shall meet at nine o'clock A. M., at the city hall of said city, on the next secular day after any such election, or day of voting upon such question as aforesaid, and shall commence such count and continue the same on every secular day thereafter until said count is fully completed. Said ballots shall be counted by the members of said board in person and in open meeting, and any candidate for any office to be filled at any such election, or any

Manner of counting.

See Ch. 828 of 1901,  
Secs. 5, 7, 8, 9.

See Ch. 829 of 1901,  
Secs. 19, 20.

person authorized by him in writing, may be heard for or against the counting or rejection of any ballots cast thereat, and said board shall determine all questions as to the validity of such ballots. Upon the completion of said count said board shall record and certify over the signatures of its members, or a quorum thereof, in a book kept by them for such purpose, the number of ballots given in at such election, specifying the names of the persons, for what offices, and the number of ballots given in for each, and also the number of ballots cast for and against any such proposition, and forthwith shall publicly declare the result thereof, and shall forthwith certify said result and determination to the city clerk, and said city clerk shall thereupon issue certificates of election to the persons certified by said board to have been elected, and in case of the adoption or rejection of any such proposition shall take any subsequent action required of him by law. Whenever it shall appear from the certificate of said board that no person has been lawfully elected to any office, said city clerk shall thereupon forthwith notify the mayor of said city in writing, and, as soon as may be thereafter, said mayor shall convene the board of aldermen, and said board of aldermen shall issue warrants for another election: *provided, however,* that a period of not less than seven nor more than ten days shall intervene between the time said city clerk shall be notified as aforesaid and such election; and so from time to time shall order new elections until the election shall be completed.

Record and certificate of count.

Certificates of election.

No election.  
See Ch. 828 of 1901, Sec. 6.

New election.  
See Ch. 828 of 1901, Sec. 2.

Returns by election officers.  
See Ch. 828 of 1901, Secs. 3, 4.  
See Ch. 823 of 1901, Sec. 15.

Penalties.

SEC. 3. All ballots, records, certificates, returns, books, documents and papers of every kind and nature pertaining to any such election or the voting upon any such proposition, now required by law to be returned or delivered to or filed with the city clerk of said city by wardens, clerks, supervisors, or other officers, shall hereafter be returned and delivered to and filed with said board within the same time and in the same manner as now required by law to be returned and delivered to and filed with said city clerk, and under the same penalties as now provided by law for failure so to do, and the same shall be preserved for the same time by said board and under the same penalties as now provided by

law. The record books provided by the secretary of state under section twelve of chapter ten of the General Laws, filed with said board under the provisions hereof, shall be deposited by said board with the city clerk forthwith after said board shall have announced its determination of the result of the election, or of the voting upon any such proposition as aforesaid. Any member of said board who shall knowingly make any false count, return, record, or certificate of any kind relative to the count of said ballots, or the determination of the result of any such election, or the voting upon any such proposition as aforesaid, shall be subject to a fine of not exceeding five thousand dollars, or to imprisonment not exceeding five years, or to both such fine and imprisonment.

See Ch. 829 of 1901,  
Sec. 8.

Penalties for false  
action by the board.

SEC. 4. The members of said board are hereby severally authorized to administer oaths, and said board, in all cases of every nature pending before it, is hereby authorized and empowered to summon witnesses by subpoena signed by the clerk of said board, and to compel such witnesses to attend and testify in the same manner as witnesses are compelled to appear and testify in either division of the supreme court; and said board is authorized to compel the production of all papers, books, documents, records, certificates, or other legal evidence, that may be necessary or proper for the determination and decision of any question or the discharge of any duty required by law of said board, by issuing a subpoena duces tecum, signed by its clerk; and every person disobeying any such writ shall be considered as in contempt, and said board may punish any contempt of its authority in like manner as contempt may be punished by either division of the supreme court. Any person who shall wilfully swear falsely in any proceeding, matter or hearing before said board, shall be deemed guilty of the crime of perjury.

Powers of board of  
canvassers.

Perjury.

SEC. 5. From and after the passage of this act the said board shall not retain to their own use any of the fees now allowed by law to recording and certifying officers; but shall charge and collect the statutory fees for any record, certificate or copy required by law to be made by said

Accountability for  
fees.

- board, and shall pay over the same on the first business day of every month to the city treasurer of said city: *provided*, that said board shall furnish, as now required by law, certified copies of any list of qualified electors in any voting district in said city on payment of the sum of *two dollars and fifty cents* for each such certified list, which sums shall also be paid into the city treasury of said city as above provided; and in lieu of all fees, and of all salary or compensation now received by the members of said board, the members thereof shall hereafter severally receive from said city a salary of twenty-five hundred dollars per annum, payable monthly, and such further sum as the city council of said city may from time to time determine, in full compensation for all duties imposed by law upon said board. Said board may employ such clerical assistance as they may deem necessary in the discharge of their duties, and agree with such clerks for their compensation, which said compensation shall be paid out of the city treasury: *provided, however*, that said board shall not authorize the payment to any of its clerks of compensation in excess of the sum of one thousand dollars per annum, unless such compensation shall have been approved by the city council of said city; *and provided further*, that the aggregate amount paid for such compensation shall not exceed the sum of three thousand dollars in any one year, unless a greater sum shall be appropriated therefor by said city council.
- Voting lists to be furnished.
- Changed to one dollar.
- See Ch. 798, sec. 7, page 137.
- Salaries.
- Clerks, and their compensation.
- Operative clause.
- SEC. 6. All acts and parts of acts inconsistent herewith are hereby repealed; and this act shall take effect from and after its passage.



AN ACT CREATING A COMMISSION TO RE-ADJUST  
THE WARD LINES OF THE CITY OF PROVIDENCE.

Chapter 798  
of June 13, 1900.

SECTION

1. Commission to divide the city into wards.
2. Duties of commissioners.
3. Voting districts; polling places and supplies; future redistricting.
4. Election officers; appointment; qualification; powers and duties; returns; compensation; vacancies.

SECTION

5. Continuance in office.
6. Election of city officers by wards; term of office.
7. Voting lists to be furnished.
8. Compensation and expenses of commission, how paid.
9. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The governor shall, as soon as may be after the passing of this act, appoint three qualified electors of the state, one at least of whom shall be a qualified elector of the city of Providence, who shall divide the said city of Providence into not more than twelve wards in such manner as to secure as nearly as may be an equal number of electors in each ward, having regard to the number of inhabitants and territory therein.

Commission to re-divide the city into wards.

SEC. 2. The said commissioners, immediately after their appointment, shall divide said city into not exceeding twelve wards, and shall file with the city clerk of said city before the fifteenth day of August, A. D. 1900, a report thereof with an accompanying map of such division, and a duplicate map thereof with the board of canvassers and registration of said city; and, upon the filing of such report of said commissioners, or a majority thereof, the division thus made shall constitute the wards of said city without further action.

Duties of commission.

For report, see p. 138.

SEC. 3. The said commissioners shall also subdivide each ward of said city into a convenient number of voting districts, containing not more than seven hundred nor less than three hundred qualified electors at the time of such subdivision. The board of canvassers and registration of said city shall forthwith designate polling places in each of such districts, and shall cause the same to be suitably furnished with ballot boxes and all other paraphernalia necessary for the conduct of elections, and shall each year thereafter in the month of July, as occasion may require, redivide said wards or any of them into voting districts in

Voting-districts.

Polling places and supplies.

Redistricting.

such manner that not more than seven hundred nor less than three hundred qualified electors shall be comprised in any one voting district at the time of such redivision, and shall designate and furnish polling places therein, and shall further file a map of such redivision and designation in the office of the city clerk of said city ; and the redivision and designation thus made shall constitute the voting districts of said wards, and the polling places therein respectively, without further action, and until changed by said board.

Election officers :

SEC. 4. Upon and after the filing of any such division or redivision of said wards, or of said voting districts, in the office of said city clerk, the terms of office of the several wardens and district clerks then in office shall cease and determine. At least ten days prior to every election there

Appointment.

shall be appointed by the board of canvassers and registration of said city a warden and clerk for each voting district, who shall be of different political parties, and four supervisors of election for each voting district from lists to be submitted to said board in manner as now provided by law to be submitted to the board of aldermen of said city,

Qualification.

and who shall severally be qualified electors in the voting districts in which they shall be appointed to serve, and who shall severally be able to read the constitution of the state

Powers and duties.

in the English language and to write their names. Said wardens, clerks, and supervisors shall have all the powers and be subject to all the liabilities and discharge all the duties conferred and imposed by law upon wardens, clerks and supervisors of election, respectively : *provided*, that at every election the ballot boxes shall be opened and the ballots therein sorted, counted, sealed up and returned by

Returns.

said wardens and clerks only, under the personal supervision and scrutiny of said supervisors of election ; but no supervisors of election shall at any time, after the close of the polls, handle any official ballot duly voted and contained in the ballot box in any such polling place. Said wardens, clerks and supervisors shall severally receive from

Compensation.

said city the sum of ten dollars for every election, and any vacancy occurring among said wardens, clerks, or super-

Vacancies.

visors of election, whether by resignation or refusal to serve,

or by failure from any cause to appear at such polling place, or to remain thereat during the time when they are required by law to perform their said duties, shall be immediately filled by said board, or by the presiding officer thereof, if said board be not then in session.

SEC. 5. The city council of said city as the same is constituted at the time of filing the division referred to in section two of this act, shall be and remain the city council of said city until the first Monday in January, A. D. 1901, and no longer; and the members of the school committee of said city in office at the time of filing said division, shall hold office for the terms for which they were severally elected and no longer.

Continuance in office.

SEC. 6. At the municipal election held next after the filing of the division of said wards in the office of the city clerk, and annually thereafter at such municipal elections, there shall be elected in each of said new wards one alderman; and in case the number of wards shall not exceed ten, four members of the common council; and in case the number of wards shall exceed ten, three members of the common council, for the term of one year and until their successors are elected and qualified; and one member of the school committee for the term of three years and until their successors respectively are elected and qualified; whose several terms of office shall commence, in the case of members of said city council, on the first Monday in January next succeeding their election, and in the case of members of said school committee on the first Tuesday in December next succeeding their election.

Elections of city officers by wards.

Term of office.

SEC. 7. From and after the filing of said division in the office of said city clerk, the board of canvassers and registration of said city shall furnish, as required by law, certified copies of any list of electors in any voting district in said city, on payment of the sum of one dollar for each such certified list, which sum shall be paid into the city treasury of said city by said board on the first business day of the month next following their receipt.

Voting lists to be furnished.

See Ch. 363, Sec. 5, page 134.

SEC. 8. Said commission shall have a suitable office in the city of Providence, to be approved by the governor;

Compensation and expenses of commission, how paid.

and the state auditor is hereby authorized and directed to draw his order on the state treasurer, payable out of any money in the state treasury not otherwise appropriated, for the rent and furnishing of same and for all expenses for surveys, maps, clerical assistance, and other expenses incidental to the proper discharge of the duties of said commission, including such compensation to the members of said commission for their services, as may be approved by the governor, on receipt of vouchers therefor duly approved by the governor.

Operative clause.

SEC. 9. All acts and parts of acts inconsistent herewith are hereby repealed; and this act shall take effect upon its passage.

## Report of the Commission

Authorized by Ch. 798  
of 1900, p. 135.

BOUNDARY LINES OF THE WARDS AND VOTING DISTRICTS OF THE CITY OF PROVIDENCE, AS READJUSTED BY A COMMISSION APPOINTED UNDER CHAPTER 798 OF THE PUBLIC LAWS, PASSED JUNE 13, 1900:— RECEIVED ON FILE IN THE CITY CLERK'S OFFICE AUGUST 14, 1900. AT 4.50 O'CLOCK P. M.

First Ward.

FIRST WARD.—All that part of the City of Providence bounded by the Seekonk river, a line through the centre of Providence river to the northerly line of Burnside bridge, thence in a direct line to the northeasterly corner of Exchange bridge, thence in a straight line to Friend street, Friend, North Main, Waterman, Benefit, Jenckes, Barnes, Hope, Angell street and Angell street extended, shall constitute the first ward.

*District 1.* All that part of said ward bounded by Waterman, Hope, Barnes, Jenckes and Benefit streets, shall constitute the first voting district.

*District 2.* All that part of said ward bounded by Waterman, Hope, Angell, Governor, Wickenden, Hope, Sheldon and Brook streets, shall constitute the second voting district.

*District 3.* All that part of said ward bounded by Seekonk river, Angell street extended, Angell, Governor and Williams streets and Williams street extended, shall constitute the third voting district.

*District 4.* All that part of said ward bounded by Seekonk river, Williams street extended, Williams, Governor, Wickenden, Hope and the line between the property now or formerly of the estate of John Carter Brown occupied by John R. White & Son and the property of the New York, New Haven and Hartford Railroad Company, shall constitute the fourth voting district.

*District 5.* All that part of said ward bounded by Providence river, Transit, Brook, Sheldon and Hope streets, the line between the property now or formerly of the estate of John Carter Brown occupied by John R. White & Son and the property of the New York, New Haven and Hartford Railroad Company and Seekonk river, shall constitute the fifth voting district.

*District 6.* All that part of said ward bounded by Providence river, Transit, Brook, Waterman, North Main, Friend and a line from Friend street to the northeasterly corner of Exchange bridge, shall constitute the sixth voting district.

SECOND WARD.—All that part of the City of Providence bounded by Seekonk river, City line, Moshassuck river, Branch avenue, the easterly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, Charles, Stevens, North Main, Benefit, Jenckes, Barnes, Hope and Angell streets and Angell street extended, shall constitute the second ward.

Second Ward.

*District 1.* All that part of said ward bounded by North Main, Pleasant, Hope and Olney streets, shall constitute the first voting district.

*District 2.* All that part of said ward bounded by Stevens and Charles streets, the easterly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, Branch avenue and Moshassuck river, shall constitute the second voting district.

*District 3.* All that part of said ward bounded by Seekonk river, City line, Moshassuck river, Stevens and North Main streets, Rochambeau avenue, the line between Swan Point Cemetery and the property of Butler Hospital for the Insane, shall constitute the third voting district.

*District 4.* All that part of said ward bounded by Hope, Pleasant, and North Main streets and Rochambeau avenue, shall constitute the fourth voting district.

*District 5.* All that part of said ward bounded by Seekonk river, Angell street extended, Angell, Hope, Barnes, Jenckes, Benefit, North Main, Olney and Hope streets, Rochambeau avenue and the line between Swan Point Cemetery and the property of Butler Hospital for the Insane, shall constitute the fifth voting district.

Third Ward.

THIRD WARD.—All that part of the City of Providence bounded by City line, Smith, North Main, Star, Benefit, North Main, Stevens and Charles streets, the easterly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, Branch avenue and Moshassuck river, shall constitute the third ward.

*District 1.* All that part of said ward bounded by Charles, Stevens, North Main, Benefit, Star, North Main and Smith streets and the easterly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, shall constitute the first voting district.

*District 2.* All that part of said ward bounded by Smith street, Chalkstone avenue, and Candace streets, Douglas avenue, Orms street and the easterly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, shall constitute the second voting district.

*District 3.* All that part of said ward bounded by Orms street, Douglas avenue, Fillmore street, Admiral and Charles streets and the easterly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, shall constitute the third voting district.

*District 4.* All that part of said ward bounded by City line, Smith street, Chalkstone avenue, Candace street, Douglas avenue, Fillmore and Admiral streets, shall constitute the fourth voting district.

*District 5.* All that part of said ward bounded by City line, Admiral, Hawkins and Charles streets, shall constitute the fifth voting district.



*District 6.* All that part of said ward bounded by City line, Charles, Hawkins, Admiral and Charles streets, the easterly line of the railroad, property operated by the New York, New Haven and Hartford Railroad Company, Branch avenue and Moshassuck river, shall constitute the sixth voting district.

FOURTH WARD.—All that part of the City of Providence bounded by a line from the northeasterly corner of Exchange bridge to Friend street, Friend, North Main, Waterman, Benefit, Star, North Main and Smith streets, Chalkstone avenue, Ayrault, Valley, Rathbone and Promenade streets, the range of Acorn street, Acorn street, Harris avenue, Dean, Westminster, Cranston, Pearl, Broad, Lockwood, Friendship, Point, Plain and Elm streets and Elm street extended to centre of Providence river, and by said centre of Providence river to north side of Burnside bridge, thence in a straight line to point of beginning, shall constitute the fourth ward.

Fourth Ward

*District 1.* All that part of said ward bounded by Smith, North Main, Star, Benefit, Waterman, North Main and Friend streets, a line to northeasterly corner of Exchange bridge, Providence river, Westminster, Walnut, Washington, Jackson, and Federal streets, Broadway, Bourne, Aborn and Cedar streets, Brayton avenue and Brayton avenue extended, Woonasquatucket river, Gaspee and Francis streets, shall constitute the first voting district.

*District 2.* All that part of said ward bounded by Providence river, Westminster, Burrill, Weybosset, Chestnut, Friendship, Plain and Elm streets and Elm street extended, shall constitute the second voting district.

*District 3.* All that part of said ward bounded by Broad, Lockwood, Friendship, Point, Plain, Friendship and Chestnut streets, shall constitute the third voting district.

*District 4.* All that part of said ward bounded by Broad, Pearl, Cranston, Westminster, Dean, Fountain, Jackson, Washington, Walnut, Westminster, Burrill and Weybosset streets, shall constitute the fourth voting district.

*District 5.* All that part of said ward bounded by Woon-

asquatucket river, Acorn street, Harris avenue, Dean, Fountain, Jackson and Federal streets, Broadway, Bourne, Aborn and Cedar streets, Brayton avenue and Brayton avenue extended, shall constitute the fifth voting district.

*District 6.* All that part of said ward bounded by Rathbone, Valley and Ayrault streets, Chalkstone avenue, Smith, Francis and Gaspee streets and Woonasquatucket river, shall constitute the sixth voting district.

Fifth Ward.

FIFTH WARD.—All that part of the City of Providence bounded by Providence river, Elm street extended, Elm, Plain, Point, Friendship, Lockwood and Broad streets, Elmwood avenue, Burnett, Public street and Public street extended, shall constitute the fifth ward.

*District 1.* All that part of said ward bounded by Providence river, Elm street extended, Elm, Plain, Blackstone street and Blackstone street extended, shall constitute the first voting district.

*District 2.* All that part of said ward bounded by Providence river, Blackstone street extended, Blackstone street, Prairie avenue, Public street and Public street extended, shall constitute the second voting district.

*District 3.* All that part of said ward bounded by Public street, Prairie and Willard avenues, Broad street, Wesleyan and Elmwood avenues, and Burnett street, shall constitute the third voting district.

*District 4.* All that part of said ward bounded by Broad and Friendship, Lockwood and Broad streets, Elmwood and Wesleyan avenues, shall constitute the fourth voting district.

*District 5.* All that part of said ward bounded by Broad, Friendship and Lockwood streets, Prairie and Willard avenues, shall constitute the fifth voting district.

*District 6.* All that part of said ward bounded by Lockwood, Friendship, Point, Plain and Blackstone streets, and Prairie avenue, shall constitute the sixth voting district.

Sixth Ward.

SIXTH WARD.—All that part of the City of Providence bounded by Providence river, City line, the westerly line of

the railroad property operated by the New York, New Haven and Hartford Railroad Company, Carter street extended, Carter street, Elmwood avenue, Public street, and Public street extended, shall constitute the sixth ward.

*District 1.* All that part of said ward bounded by Providence river, Public street extended, Public street, Prairie avenue, Sayles street and Sayles street extended, shall constitute the first voting district.

*District 2.* All that part of said ward bounded by Providence river, Sayles street extended, Sayles, Ocean and Richardson streets, Pennsylvania avenue and Broad street, Prairie and Pavilion avenues, Hylestead street, Thurber's avenue and Thurber's avenue extended, shall constitute the second voting district.

*District 3.* All that part of said ward bounded by Providence river, City line, Broad street, Prairie and Pavilion avenues, Hylestead street and Thurber's avenue and Thurber's avenue extended, shall constitute the third voting district.

*District 4.* All that part of said ward bounded by City line, Broad street, Atlantic and Reservoir avenues, and the westerly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, shall constitute the fourth voting district.

*District 5.* All that part of said ward bounded by Reservoir and Atlantic avenues, Broad and Public streets, Elmwood avenue, Carter street, Carter street extended, and the westerly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, shall constitute the fifth voting district.

*District 6.* All that part of said ward bounded by Broad and Public streets, Prairie avenue, Sayles, Ocean and Richardson streets, and Pennsylvania avenue, shall constitute the sixth voting district.

SEVENTH WARD.—All that part of the City of Providence bounded by City line, Cranston, Messer, Willow, Sycamore, Westminster, Dexter, Division, Bridgham, Cranston and Pearl streets, Broad street, Elmwood avenue, Burnett and

Seventh Ward.

Public streets, Elmwood avenue, Carter street, Carter street extended, and the westerly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, shall constitute the seventh ward.

*District 1.* All that part of said ward bounded by Broad street, Elmwood avenue, Wilson, Dexter, Cranston and Pearl streets, shall constitute the first voting district.

*District 2.* All that part of said ward bounded by Chapin avenue, Cranston, Bridgham, Division, Dexter, Westminster, Sycamore and Willow and Messer streets, shall constitute the second voting district.

*District 3.* All that part of said ward bounded by Chapin avenue, Cranston, Dexter and Wilson streets, Elmwood avenue, Hanover, Cranston and Messer streets, shall constitute the third voting district.

*District 4.* All that part of said ward bounded by Potter's and Elmwood avenues, Public and Burnett streets, Elmwood avenue, Hanover, Cranston, Waldo and Dexter streets, shall constitute the fourth voting district.

*District 5.* All that part of said ward bounded by Cranston, Waldo and Dexter streets, Potter's and Elmwood avenues, Carter and Carter street extended, and the westerly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, shall constitute the fifth voting district.

*District 6.* All that part of said ward bounded by City line, and the westerly line of the railroad property operated by the New York, New Haven and Hartford Railroad Company, shall constitute the sixth voting district.

Eighth Ward.

**EIGHTH WARD.**—All that part of the City of Providence bounded by City line, Cranston, Messer, Willow, Sycamore, Westminster, Bainbridge avenue, Broadway and Westminster street, Olneyville square, Manton avenue, Erastus street, Atwell's and Manton avenues, and the westerly line of the Dyerville Manufacturing Company's plat, recorded in the Recorder's office, Providence, on plat card No. 601, and said line extended, shall constitute the eighth ward.

*District 1.* All that part of said ward bounded by City

line, Hartford avenue, Heath street, Eastwood and Webster avenues, Plainfield street, Olneyville square, Manton avenue, Erastus street, Atwell's and Manton avenues and the westerly line of the Dyerville Manufacturing Company's plat, recorded in Recorder's office, Providence, on plat card No. 601 and said line extended, shall constitute the first voting district.

*District 2.* All that part of said ward bounded by City line, Pocasset avenue, Plainfield street, Olneyville square, Westminster street, Broadway and the westerly line of the railroad property formerly owned by the Hartford, Providence and Fishkill Railroad Company, shall constitute the second voting district.

*District 3.* All that part of said ward bounded by Broadway, Bainbridge avenue, Westminster, Sycamore, Willow street and Willow street extended, and the westerly line of the railroad property formerly owned by the Hartford, Providence and Fishkill Railroad Company, shall constitute the third voting district.

*District 4.* All that part of said ward bounded by City line, Cranston, Messer and Willow streets, and Willow street extended and the westerly line of the railroad property formerly owned by the Hartford, Providence and Fishkill Railroad Company, shall constitute the fourth voting district.

*District 5.* All that part of said ward bounded by City line, Pocasset avenue, Plainfield and Killingly streets and Sunset avenue, shall constitute the fifth voting district.

*District 6.* All that part of said ward bounded by City line, Hartford avenue, Heath street, Eastwood and Webster avenues, Plainfield and Killingly streets and Sunset avenue, shall constitute the sixth voting district.

**NINTH WARD.**—All that part of the City of Providence bounded by Woonasquatucket river, Acorn, Harris avenue, Dean, Westminster, Cranston, Bridgham, Division, Dexter and Westminster streets, Bainbridge avenue, Broadway, Westminster street, Olneyville square and Manton avenue, shall constitute the ninth ward.

Ninth Ward.

*District 1.* All that part of said ward bounded by Cranston, Westminster, Dean, Carpenter and Bridgham streets, shall constitute the first voting district.

*District 2.* All that part of said ward bounded by Broadway, Bainbridge avenue, Westminster, Dexter, Division, Bridgham, Carpenter and Dean streets, shall constitute the second voting district.

*District 3.* All that part of said ward bounded by Broadway, Almy, Gesler and Ridge streets, Atwell's avenue and Vinton street, shall constitute the third voting district.

*District 4.* All that part of said ward bounded by Atwell's avenue, Woonasquatucket river, Manton avenue, Olneyville square, Westminster street, Broadway, Almy, Gesler and Ridge streets, shall constitute the fourth voting district.

*District 5.* All that part of said ward bounded by Atwell's avenue, Woonasquatucket river, Acorn street, Harris avenue and Dean street, shall constitute the fifth voting district.

*District 6.* All that part of said ward bounded by Broadway, Dean street, Atwell's avenue and Vinton street, shall constitute the sixth voting district.

Tenth Ward.

TENTH WARD.—All that part of the City of Providence bounded by City line, Smith street, Chalkstone avenue, Ayrault, Valley, Rathbone and Promenade streets, Woonasquatucket river, Manton avenue, Erastus street, Atwell's and Manton avenues, and the westerly line of the Dyerville Manufacturing Company's plat, recorded in the Recorder's office, Providence, on plat card No. 601, and said line extended, shall constitute the tenth ward.

*District 1.* All that part of said ward bounded by Woonasquatucket river, Atwell's, Academy and Chalkstone avenues, Harold, Valley and Eagle streets, shall constitute the first voting district.

*District 2.* All that part of said ward bounded by Woonasquatucket river, Manton avenue, Julian street and Atwell's avenue, shall constitute the second voting district.

*District 3.* All that part of said ward bounded by At



well's avenue, Julian street, Manton avenue and Erastus street, shall constitute the third voting district.

*District 4.* All that part of said ward bounded by Atwell's, Academy, Chalkstone and Mount Pleasant avenues and Mount Pleasant avenue extended, shall constitute the fourth voting district.

*District 5.* All that part of said ward bounded by River, Chalkstone and Mount Pleasant avenues and Mount Pleasant avenue extended, Atwell's and Manton avenues, the westerly line of the Dyerville Manufacturing Company's plat, recorded in the Recorder's office, Providence, on plat card No. 601, said line extended, City line, the brook or water course which runs from the City line through the property of the State Home and School, shall constitute the fifth voting district.

*District 6.* All that part of said ward bounded by Smith street, Chalkstone avenue, Ayrault, Valley and Rathbone streets, Woonasquatucket river, Eagle, Valley and Harold streets, Chalkstone and River avenues, the brook or water course which runs from the City line through the property of the State Home and School, and City line, shall constitute the sixth voting district.

**Chapter 662**

of May 18, 1899,

as amended by

**Chapter 867**

of March 29, 1901.

AN ACT RELATIVE TO POLITICAL COMMITTEES AND CAUCUSES.

SECTION

1. Definition of terms used.
2. State committees.
3. Ward and city committees.
4. Application of act, to what cities.
5. Caucus notices; right to participate in caucus; nomination papers.
6. Rejection of names on nomination papers; nomination papers for ward and district candidates.
7. Holding of caucuses; form of ballot; precedence of caucuses; limitation of time for caucuses.
8. Call for caucuses.
9. Place of holding caucuses; hours of; caucus officers and election; term of office; vacancies; eligibility; officers on redivision.
10. Conduct of caucuses; voting by ballot; names of candidates; material of ballots; ballots for caucus clerk.
11. First caucuses; voting lists; council caucuses; special caucuses; canvass meetings for special caucuses; certified copies of voting lists to be used at caucuses; election supplies

SECTION

- how furnished; eligibility to participate in caucuses; vote, how challenged.
12. Plurality elects or nominates; proceedings in case of tie vote; adjournment of caucus; caucus vote how counted; plurality to elect; return of ballots and voting lists.
13. Certificates of election or nomination by warden; verification of check list; certified copies of caucus check list for succeeding caucuses; preservation and use of; certified copies of caucus check lists to elector on payment of fees; recount of caucus vote, how made; notice of recount; presence of candidates at recount.
14. Caucuses for special elections.
15. Penalties on public officers and political officials.
16. Arrest without warrant.
17. Application of this act to existing committees.
18. Operative clause.

*It is enacted by the General Assembly as follows :*

- SECTION 1. The term "elective office" shall apply to any office for which candidates are to be voted for at any national, state, municipal, ward, or district election.
- " Elective office." .
- The term "caucus officers" shall apply to all officers taking part in the conduct of caucuses.
- " Caucus officers." .
- The terms "caucus" and "political convention" shall apply only to such as shall be called and held in pursuance of this act.
- " Caucus." .
- " Political convention." .
- The term "political party" as used in this act, or in chapter eleven of the General Laws, shall apply only to a political party which, at the next preceding annual election, polled for governor at least two per centum of the entire vote cast in the state for that office.
- " Political party." .
- SEC. 2. Every political party shall annually elect a state committee. Such state committee shall, within ten days after its organization, file with the secretary of state a list of its officers and members.
- State committees.

SEC. 3. The qualified electors of every political party in each ward of the cities of Providence and Pawtucket shall annually, at the caucus held to elect delegates to the convention to nominate a candidate for governor, elect a ward committee for such ward, and the members of the several ward committees of the same political party shall constitute a political committee of such political party, to be called a city committee. Each city committee shall, within ten days after its organization, file with the secretary of state a list of its officers and members; and in Pawtucket also with the city clerk, and in Providence also with the board of canvassers and registration. The general management of the affairs of each political party in said cities shall be vested in said city committee, subject to the rules and regulations which the state committee of each such political party shall make.

Ward committee.  
Act of 1901, Ch. 867,  
Sec. 1.

City committee.

Any vacancy occurring in the office of chairman, secretary, treasurer, or other officer of any political committee, shall be filled by the action of such committee, and a statement of any change, so occurring, shall be filed as in the case of the officers first chosen. Any vacancy in the membership of any ward committee shall be filled by the remaining members of said ward committee, and a statement of any change, so occurring, shall be filed as in the case of a change of officers.

Vacancies.  
Ch. 867, as above.

All city and ward committees which are in existence [on the twenty-ninth day of March, A. D. 1901], shall hold office until their successors shall have organized.

Continuance in office.  
Act of 1901, Ch. 867,  
Sec. 6.

Each ward and city committee of the cities of Providence and Newport shall hold office for one year from the first day of January next following their election and until their successors shall have organized.

Term of office.  
Act of 1901, Ch. 867,  
Sec. 9.

Each city committee of the cities of Providence and Newport may make reasonable regulations, not inconsistent with law, to determine membership in the party and to restrain those not entitled to vote at caucuses called by them from taking part therein.

Rules for party  
membership.  
Act of 1901, Ch. 867,  
Sec. 8.

SEC. 4. The following sections of this act shall apply only to the cities of Providence and Pawtucket.

Application of Act.  
As to Newport, see  
page 161.

Caucus notice.

SEC. 5. All notices for holding caucuses shall apply to all members of the political party whose caucuses are to be held pursuant to said notices, and to them only; and only members of such political party shall participate in the caucuses of said party.

Participation in caucus.

Right to participate.  
See also page 156.

No person having voted in the caucus of one political party shall be entitled to vote or take part in the caucus of any other political party held within ninety days thereafter, nor shall any person having signed nomination papers of a candidate or candidates for any elective office be entitled to vote or take part in any caucus of any political party held for the nomination of candidates, or for the election of delegates to a convention to nominate candidates, to be voted for at the same election, or in any caucus held within ninety days thereafter for the election of caucus officers or the members of a political committee.

Nomination papers.

No person who shall have voted in the caucus of any political party for any candidate for an elective office, or for any delegate to a convention to nominate candidates for any elective office, shall sign any nomination paper containing nominations of candidates to be voted for at the same election as that for which such caucus or convention shall have been held.

Rejection of names on nomination papers.

SEC. 6. In computing the number of electors required by law to sign a nomination paper for any elective office, the names of electors appearing, by the check list hereinafter specified, to have voted in the caucus of any political party for the nomination of candidates for any elective office, or for the choice of delegates to a convention to nominate candidates for any elective office, to be voted for at the same election, or to have voted at any caucus of a political party held within ninety days for the election of caucus officers or members of a political committee, shall not be counted:

Nomination papers for ward and district candidates.

*provided*, that except as in this section otherwise specified, nominations of candidates for any elective office to be filled by the electors of any ward or voting district in either of said cities, may be made by nomination papers signed in the aggregate for each such candidate by not less than fifty qualified electors of such ward or voting district.

SEC. 7. No two political parties shall hold their caucuses on the same day. The title or name of any political party which has made a nomination or nominations at the next preceding election shall not be used in combination with any word or words on any official ballot for any elective office. The political party first filing its designation of a day for the holding of a caucus with the city clerk in the city of Pawtucket, or with the board of canvassers and registration in the city of Providence, shall be entitled to precedence on the day named therein: *provided*, that no caucus, except a caucus adjourned under the provisions of section twelve of this act, shall be held within two days of the last day for filing the certificate of nomination for such office, nor shall any political party hold two caucuses on successive days.

SEC. 8. All caucuses shall be held, in said cities, at the call of the city committee of the political party holding such caucuses. The call for such caucuses shall be issued not less than five days prior to the day on which they are to be held, and shall state the place, the hour of holding the same, and the time during which the polls are to be open, and the business to be transacted thereat. Said call shall be published at least four consecutive days in one or more newspapers published in the city in which such caucus shall be held. All caucuses and conventions of every political party in said cities shall be held substantially in accordance with the provisions of this act.

SEC. 9. At least ten days prior to the date on which a caucus is to be held in either of said cities, the chairman of the city committee of each political party in Pawtucket shall notify in writing the clerk of the city of Pawtucket, and in Providence the board of canvassers and registration of the city of Providence, of the date selected for such caucus, and said city clerk and said board of canvassers and registration, respectively, are hereby authorized and required, at the expense of their respective cities, to provide not less than one polling-place in each ward for such caucus, and to notify in writing such chairman as to the places so provided at least seven days prior to the date of such caucus. All caucuses

Holding of caucuses.  
Act of 1901, Ch. 867,  
Sec. 2.

Form of ballot.

Precedence of  
caucuses.

Limitation of time for  
holding caucuses.

Call for caucuses.

Places for holding  
caucuses.

Act of 1901, Ch. 867,  
Sec. 3.

shall be held in the several ward rooms of said cities whenever practicable. The hour for calling all caucuses in said cities shall be seven o'clock in the evening, and the polls shall close at 9:30 P. M.

Hours for holding caucuses.

Caucus officers, election.

Ch. 867, as above.

In each ward of said cities the qualified electors of each political party shall annually, at the caucus held to elect delegates to the convention to nominate a candidate for governor, elect a caucus warden for such ward, and at said caucus the qualified electors of each political party residing in each voting district of such ward shall elect a caucus clerk for such voting district, who shall be qualified electors of the ward or district, respectively, for which they are elected, and members of the political party at whose caucus they are elected. Such caucus wardens and caucus clerks shall have the same and like powers, and shall discharge the same and like duties, relative to caucuses held under the provisions of this act, so far as the same are applicable, as are conferred by law upon wardens and clerks in respect to state elections. Every such officer shall hold office for the term of one year, beginning with the first day of January succeeding their election, and until his successor is elected.

Term of office.

Vacancies.

Ch. 867, as above.

In case a vacancy for any cause, including removal from the ward or district, shall occur in the office of caucus warden or caucus clerk prior to the time appointed for the meeting of the caucus, it shall be filled by the members of the ward committee of such ward in which such vacancy shall occur.

Eligibility.

Ch. 867, as above.

No person shall be eligible to the office of caucus warden or clerk who is a member of, or a candidate for, a city or ward committee, and no person shall serve as a caucus officer at any caucus wherein he is a candidate for delegate to any convention or for any elective office, except that of caucus officer.

Caucus officers in case of redivision.

Ch. 867, as above.

In case of a redivision of the wards or voting districts of either of said cities, the city committees of the several parties shall appoint the caucus officers to serve at the first caucuses of such parties, respectively, after such redivision, and at such caucuses the regular caucus officers shall be elected as hereinbefore provided.



SEC. 10. The caucus warden elected or appointed, as hereinbefore provided, shall call the caucus of his political party to order, and shall preside thereat. In case a caucus warden is absent at the time at which the caucus has been called, or in case a caucus warden becomes incapacitated during the holding of the caucus, the ward committee, or a majority thereof present, shall appoint a qualified elector of such party residing in the ward to act as caucus warden at such caucus; or if the ward committee shall fail to make such appointment, the clerk of the first district in such ward, or, in case of his absence or incapacity, any qualified elector may call the meeting to order and preside until a caucus warden shall be appointed by the ward committee. In case a caucus clerk is absent at the time at which the caucus has been called, or in case a caucus clerk becomes incapacitated from performing his duties as such during the holding of the caucus, the ward committee of such ward shall appoint to act as such caucus clerk some person who would be eligible to election as such; or if the ward committee fail to make such appointment, the caucus warden, or the person acting as caucus warden, shall appoint some qualified elector as aforesaid to act as caucus clerk.

Conduct of caucuses.  
Act of 1901, Ch. 867,  
Sec. 4.

The polls shall be opened at or before 7 : 30 P. M., and the ballot boxes shall be opened and the interior thereof exposed to the view of all present by the warden before any ballots are cast. Any necessary preliminary business not finished at 7 : 30 P. M., shall be postponed until after the polls are closed and the result of the balloting announced.

Polls to be open,  
when.

Ch. 867, as above.

Except for the filling of vacancies in the office of caucus warden and caucus clerk, as hereinbefore provided, a ballot shall be required for the choice of all candidates for all elective offices and all delegates to conventions to nominate candidates for national, state, or municipal offices, for caucus wardens and clerks, or for members of a political committee to be elected by such caucus, and the polls shall be kept open until 9 : 30 P. M.

Voting to be by  
ballot.

Ch. 867, as above.

All ballots shall be printed or written on white paper, and no tissue paper shall be used for any caucus ballot.

Material of ballots.

Ch. 867, as above.

- Names of candidates. The names of all candidates for which any elector shall  
 Ch. 867, as above. vote at any caucus shall be written or printed upon one ballot.
- Ballot for caucus Every ballot cast for a candidate for caucus clerk of any  
 clerks. voting district shall have printed or written thereon the number of the voting district in which the person casting such  
 Ch. 867, as above. ballot is entitled to vote. And no ballot upon which shall appear the number of more than one voting district shall be counted for any candidate for caucus clerk.
- First caucuses. SEC. 11. All caucuses, excepting those necessary for a  
 Act of 1901, Ch. 867, special election, shall be held after the second Thursday  
 Sec. 5. next after the first Monday in September of each year.
- Voting lists. The voting lists of the several wards and voting-districts in  
 said cities, as canvassed on the Tuesday after the first Monday in September shall be used in said caucuses: *provided,*  
*however,* that all caucuses for the nomination of candidates for the city council of either of said cities shall be held within twenty-five days of the Tuesday after the first Monday in November, and the board of canvassers in said cities shall annually hold a canvass meeting on the twenty-seventh day preceding the Tuesday next after the first Monday in November, to canvass and correct the voting-lists of electors qualified, and who may be qualified, by the payment of a tax to vote for members of the city council. No other person shall be permitted to vote in any caucus held for the nomination of members of the city councils of said cities, or shall be qualified to sign nomination papers therefor. Notice of this canvass meeting shall be given in the same manner and for the same time as required by law in the case of a final canvass meeting prior to an election.
- Council caucuses.
- Special caucuses. At all other caucuses the voting lists of the several wards  
 and voting districts in said cities last published according to law, with such subsequent changes thereon as may be certified by the board of canvassers in Pawtucket, or by the clerk thereof, and the board of canvassers and registration in Providence, to a date not more than five days prior to the earliest day designated by any political party for the holding of any caucus for the nomination of candidates for any elective office, or of choosing delegates to a conven-
- Ch. 867, as above.

tion to nominate candidates for any elective office, shall be used: *and provided also*, that in case of the calling of a caucus to nominate candidates at any special election to fill a vacancy in the city council in either of said cities, said board of canvassers in Pawtucket, and the board of canvassers and registration in Providence, shall hold a canvass meeting for the purposes aforesaid at such time prior to such caucus, and shall give such notice thereof, as they shall in each case prescribe.

Canvass meetings for special caucuses.

An exact copy of such voting list, duly certified by the city clerk in Pawtucket, or the board of canvassers and registration in Providence, respectively, shall be used at all caucuses held during the same series of caucuses for the same election as above provided, and all the names of persons voting at each such caucus of the same political party shall be checked on such list in one and the same color by a dash at the left of the name, which color shall be different from any which may have been used in any previous caucus of any other political party of the same series and for the same election; and all voting for caucus officers, candidates for any elective office, delegates to any convention, or members of any political committee, shall be by the use of such check list.

Voting lists for use at caucuses.

Ch. 867, as above.

The city clerk in Pawtucket, and the board of canvassers and registration in Providence, are hereby authorized and required to furnish, at the expense of said cities, suitable ballot boxes, blank forms of certificates and returns and other election stationery, for each polling place at which any caucus is held, and to cause the voting lists aforesaid to be delivered at each such polling place to the caucus warden, or other officer authorized to preside at said caucus, prior to the hour of seven o'clock in the evening of the day on which any such caucus is to be held; and it is hereby made the duty of the chiefs of police of said cities to detail such number of police officers to each such polling place, for the preservation of order and to deliver the voting lists aforesaid, as may be requested by said city clerk of Pawtucket and said board of canvassers and registration of Providence.

Ballot boxes and supplies.

Ch. 867, as above

Eligibility to participate in caucus.

Ch. 867, as above.

See also page 150.

No person shall be entitled to vote or take part in any caucus for the nomination of candidates for any elective office, or for the choosing of delegates to any political convention for the nomination of candidates for any elective office, unless such person is, at the time of holding such caucus, a qualified elector for such elective office, or whose name does not appear on such voting list, or whose name has been checked upon said voting list, or who shall have signed nomination papers of candidates for any elective office to be voted for at the same election as that for which such caucus is being held, or who shall have voted at any caucus of any other political party within ninety days.

Vote, how challenged.

Ch. 867, as above.

If at any caucus held under the provisions of this act, any person offering to vote is challenged for any cause recognized by law, the caucus warden shall require the name and residence by street and number of such person to be written by himself, or by some one for him, on the outside of the ballot offered by him, and the caucus warden shall add the name and residence by street and number of the person so challenging, and the cause assigned for the challenge, before such ballot is received; but nothing in this section shall be construed as permitting any caucus officer to receive any ballot which by law he is required to refuse.

Plurality elects or nominates.

SEC. 12. The person or persons receiving the highest number of votes in a caucus shall be deemed and declared to be elected or nominated.

Proceedings in case of a tie vote.

In case of a tie vote for delegates to a convention, or in case of a place being unfilled in a delegation, or in case of a vacancy occasioned by inability or neglect of a delegate to attend a convention, such vacancies shall be filled only by vote of the remaining members of the delegation, at a meeting duly called for the purpose. Such meeting shall choose a chairman and secretary, and the secretary shall notify the secretary of the convention of the action of the meeting so far as it relates to a vacancy.

Vacancy may be filled in case of tie vote for ward committee.

In case of a tie vote for members of a ward committee, or for caucus officers, the members duly elected shall fill the vacancy or vacancies.

In case a majority of a delegation to any convention, or ward committee, or caucus officers, are not elected, or in case of a tie vote for candidates for an elective office, the caucus shall adjourn to such day as shall be designated at said caucus by a caucus warden, but not to any day at which a caucus of any political party has been called.

Adjournment of caucus in case of no election.

Immediately on the closing of the polls the caucus warden and clerk shall in open caucus proceed to count the ballots cast, and the candidate or candidates receiving a plurality of the ballots shall be declared by the caucus warden to be elected. The ballots and voting lists shall then be forthwith separately sealed up, together with a statement of the result of the balloting, substantially in form required by law in the case of state elections, and shall be forthwith delivered in person by the caucus clerk of the first voting district in each ward to the city clerk in the city of Pawtucket, and to the board of canvassers and registration in the city of Providence.

Caucus vote, how counted; plurality to elect.

Return of ballots and voting lists.

SEC. 13. The warden of every caucus shall, within twenty-four hours after said caucus is held, deliver, send, or cause to be sent, to each delegate to a political convention and to each member of a political committee, a certificate of his election, and to each candidate for an elective office a notice of his nomination, and shall also cause the certificate of nomination required by law in the case of all candidates who are nominated by such caucus for any elective office to be prepared and seasonably filed in the proper public office. Upon the check lists used at such caucus the clerk checking such list shall make a return under oath that the said check list is the identical one used in the caucus of the political party for which it was furnished, and that the names checked in the color employed at such caucus were truly and properly checked at such caucus, and that no alteration or erasure or additional check has been made thereon, and said city clerk in Pawtucket, and board of canvassers and registration in Providence, shall make a true copy of said check list in the same color or colors appearing thereon, and shall deliver such copy, duly certified by him or them in like manner as hereinbefore specified, to the caucus

Certificates of election or nomination by warden.

Verification of check list.

Certified copies of caucus check lists for succeeding caucuses.

Preservation and  
use of lists.

warden of the political party whose caucus next occurs, and shall proceed in like manner until all the same series of caucuses for the same election have been held, when he and they shall respectively seal up and preserve the same, together with the copy or copies thereof hereinbefore provided, for the space of thirty days after the last meeting of said series. If before the expiration of said time they shall be requested in writing by ten voters entitled to vote in any of said series of caucuses, they shall safely keep said ballots and check lists for the period of three months thereafter, and said city clerk of Pawtucket shall produce the same if called for by the board of canvassers of said city.

Certified copies of  
caucus check lists to  
elector on payment  
of fees.

The city clerk in Pawtucket, or the board of canvassers and registration in Providence, after a check list has been used at a caucus of a political party held under the provisions of this act, upon written application for a copy of the list as checked, signed by any qualified elector in said city, and upon payment or tender of the fees provided by law therefor, may unseal and open the wrapper containing such check list, and shall furnish to such applicant a certified copy of the list as checked and shall then reseal the same.

Recount of caucus  
vote, how made.

If before five o'clock in the afternoon of the day succeeding the day on which any caucus is held under the provisions of this act, a person who has received votes thereat for nomination or election to any elective office, delegation, or political committee, shall serve upon the city clerk of Pawtucket, or the board of canvassers and registration in Providence, a statement in writing that the records and returns made by the caucus officers, as aforesaid, are erroneous, and specifying wherein the same are erroneous, and claiming an election or nomination by said caucus for the petitioner, and petitioning for a recount of such ballots by the board of canvassers in Pawtucket, or the board of canvassers and registration in Providence, such city clerk and board of canvassers and registration, respectively, shall retain all the ballots cast at such caucus for such nomination or elective office until such claim is withdrawn or the contest for the nomination or election is fully determined by



the board of canvassers in Pawtucket, or by the board of canvassers and registration in Providence.

The city clerk of Pawtucket shall forthwith notify the members of the board of canvassers of said city of the filing of such petition, and it shall be the duty of said board of canvassers in Pawtucket to forthwith convene in their chamber at the city hall and to cause notice in writing to be served upon all other candidates for the same office receiving votes at said caucus, at the expense of the petitioner, of the filing of such petition for a recount, and shall appoint a time and place for the recount of said ballots within twenty-four hours from the time of ordering such notice. At the time specified by said board of canvassers said city clerk shall transmit to such board all the ballots cast at such caucus and the voting list used thereat. In the city of Providence like proceedings shall be observed by the board of canvassers and registration, at the expense of the petitioner; and at the appointed time and place said board of canvassers of Pawtucket, and board of canvassers and registration in Providence, respectively, shall proceed to recount said ballots, and to hear and determine all questions raised for or against the counting of the same or of any thereof, and such recount shall stand as the true record and result of the vote cast at such caucus, and the proper officer shall cause the names of the persons so declared to be nominated for any elective office to be printed upon the official ballots, in accordance with the certificate of such recount by said board of canvassers in Pawtucket, or the board of canvassers and registration in Providence, respectively, which shall be deemed to be made and filed as of the day of holding such caucus.

Any candidate receiving votes at such caucus for such nomination or office may be present during such recount, either in person or by an agent duly appointed in writing.

SEC. 14. Caucuses relative to a special election shall be held at such time and place, and subject to such reasonable notice, as the political committee whose duty it is to provide for holding the same may determine. All calls for the same shall be issued by the chairman and secretary of the city

Notice of recount.

In Providence

Presence of candidates at recount.

Caucuses for special elections.

committee of said cities; and when called, they shall be held in the same manner and subject to the same rules as govern caucuses called for elections whose date is fixed by law.

Penalties on public officers and political officials.

SEC. 15. Every public officer, or officer of a political party, who shall wilfully violate any of the provisions of this act, or shall refuse, or wilfully neglect and omit, to perform, in the manner and within the time prescribed, any duty imposed upon him by this act, shall be fined not less than fifteen nor more than fifty dollars, or imprisoned in jail for a period not exceeding thirty days, or both.

Penalty for illegal voting.

Every person at a caucus who, knowing that he is not entitled to vote, votes or attempts to vote; or votes or attempts to vote upon any other name than his own; or votes or attempts to vote more than once upon his own name; or deposits or attempts to deposit more than one ballot for any candidate for any elective office or delegate to any convention or caucus officer or member of any political committee on the same balloting; or at any caucus gives a false answer to any caucus clerk or the presiding officer of any caucus relative to his right to vote at such caucus, shall be punished by imprisonment in jail not exceeding thirty days.

Penalty for aiding or for abetting illegal voting.

Whoever aids or abets a person not entitled to vote at a caucus in voting or attempting to vote under a name other than the voter's own name, or in voting twice upon the voter's own name, or aids or abets a person in depositing or attempting to deposit at a caucus more than one ballot as aforesaid on the same balloting, shall be punished by imprisonment in jail not exceeding thirty days.

Penalty for falsifying check list.

Whoever wilfully alters or wilfully makes any change, erasure, or additional check in the names checked upon the check list used or to be used at a caucus, or, having custody or control of such check list, shall suffer or permit any alteration, change, erasure, or additional check to be made in the names checked upon such check list, shall be punished by imprisonment in jail not exceeding sixty days.

Penalties not otherwise provided.

Except as otherwise herein provided, the penalties imposed by law upon election and other officers and voters who violate the provisions of acts regulating state elections are hereby imposed upon the same and like caucus and

other officers and voters for the same and like violations of this act.

SEC. 16. It shall be the duty of every police or other peace officer or constable to arrest without warrant any person detected in the act of violating the provisions of this act.

Arrest without  
warrant.

SEC. 17. All state, city, and ward committees which are in existence at the date of the passage of this act shall be subject to the provisions of this act, and shall hold office until the first day of May, A. D. 1900, and until their successors shall have organized: *provided*, that such state, city and ward committees as shall have been elected, but not organized, at the time of the passage of this act, shall hold office from the date of their organization until said first day of May, A. D. 1900, and until their successors shall have organized.

Application of this  
act to existing politi-  
cal committees.

See also page 149.

The foregoing provisions of this act shall apply to the city of Newport in the same way as they apply to the city of Pawtucket.

Newport.  
Act of 1899, Ch. 709.  
Act of 1901, Ch. 867  
Sec. 7.

SEC. 18. All acts and parts of acts inconsistent herewith are hereby repealed; and this act shall take effect upon its passage.

Operative clause.

## Chapter 859

of March 29, 1901.

## AN ACT IN RELATION TO THE USE OF VOTING MACHINES.

### SECTION

1. Authority to use voting machines.
2. Capabilities of lawful machines ; record on paper ; counting machine ; construction ; secrecy ; prevention of fraud.
3. Examination of voting machines by State returning board ; mechanical experts.
4. Adoption of voting machines by cities and towns ; capacity of such machines.
5. Sufficient number to be purchased.
6. Minimum number of machines ; separate machines for property voters in cities.
7. Notice of adoption.
8. Voting machines already owned may be used, if adequate ; inadequate machines prohibited ; manner of voting if not by machine.
9. Machines to be numbered.
10. Election officers to be instructed in use of machines.
11. Voting places to be also equipped as for elections under secret ballot law ; location of voting machine.
12. Method of voting if machines are not ready at the opening of the polls.
13. Method of voting if the machines fail or are inadequate ; supervision of voting by machine and continuance of election by secret ballot law.
14. Contemporaneous voting by machine and by ballot prohibited, excepting scattering voting ; repair of voting machine during election prohibited.
15. Definitions : " ballot caption " ; " face plate " ; " tally sheet " ; " diagram."
16. Arrangement and form of ballot captions of Republican, Democratic and other parties, by secretary of state and by city and town clerks ;

### SECTION

- different ballot captions may be in same column, when ; questions submitted to the people.
17. Designation of ballot captions to be made and notified by secretary of state.
18. Arrangement of candidates and questions on ballot captions ; paper and type.
19. Form of tally sheets.
20. Form of instruction sheets.
21. Ballot captions, tally sheets, diagrams and instruction sheets, by whom furnished ; posting in public places ; diagrams and instruction sheets for polling places, and posting thereof.
22. Adjustment of voting machines for elections ; counters at zero ; ballot captions ; tally sheets ; locks and seals.
23. Supervision of machines during election ; method of voting.
24. Conduct of electors within guard rail.
25. Time allowed at the voting machine.
26. Scattering voting.
27. Assistance in voting ; secrecy imposed.
28. Instructions in voting after entering the machine ; prohibitions.
29. Voting to be secret.
30. Of right to vote after entering a machine.
31. Use of ballots.
32. Supervisors of election.
33. Record of election ; count and declaration of election.
34. Application of ballot law to elections by machine.
35. Penalty for false statement of inability.
36. Penalty for willful injury to posters.
37. Penalty for neglect of duty by election officers.
38. Operative clause.

*It is enacted by the General Assembly as follows :*

Authority to use voting machines.

SECTION 1. The use of such voting machines as shall have been examined and approved by the state returning board, in the election of all officers by the electors, and in

voting upon propositions of amendment of the constitution and upon questions submitted to the electors of the state or of any city or town, is hereby authorized under the restrictions provided in this act.

SEC. 2. No voting machine shall be so approved or used unless it accurately makes upon paper a mark, indentation or perforation for every vote cast for any candidate, and for or against any proposition of amendment or question submitted to the electors, in such manner that the paper bearing such marks, indentations or perforations may be removed from such voting machine at the close of the voting, and be sent to, and counted by, the board or council required by law to count such votes, in like manner as official ballots might be sent and counted, and unless such machine is equipped with a counter which records the total number of electors who use such machine. Such machines must also be constructed with at least five columns of buttons, levers, or other devices, for recording the choice of the electors, each of which columns may be devoted to all of the candidates of one party or organization. Such machines must permit voting to be done in absolute secrecy, and must prevent the vote of any elector who votes for more than one candidate for the same office from being counted and prevent any elector from voting for any one candidate twice.

Capabilities of lawful machines.

Record on paper.

Counting machine.

Construction.

Secrecy.

Prevention of fraud.

SEC. 3. The state returning board shall from time to time examine such voting machines as in its opinion will probably comply with the requirements of this act, and if satisfied as to the durability, accuracy, efficiency, and capacity, of any such machine, and that it does comply with the requirements of this act, shall approve the same, and thereafter such machine may be used as provided in section one hereof. In making such examination said board may employ mechanical experts to assist it, and the bill for the services of such experts shall be paid, by the person or persons offering such machine for examination, before such examination is had.

Examinations of voting machines by the state returning board.

Mechanical experts.

SEC. 4. The city council of any city, and the town council of any town, in which an appropriation therefor has been made by the qualified electors thereof, may adopt,

Adoption of voting machines by the cities and towns.

purchase and furnish for all elections in such city or town any voting machine approved by the state returning board in accordance with the provisions of this act; but all voting machines so purchased, and all voting machines purchased by the secretary of state under the provisions of Chapter 794 of the public laws, for any city or town, shall be of such size as to afford opportunity for voting, in each column thereof, for all officers who at the time of such purchase are required by law to be voted for at one time in such city or town, and for at least six additional officers.

Capacity of such machines.

See section 8, p. 165.

Sufficient number to be purchased.

SEC. 5. In every city or town where voting machines have been adopted, a sufficient number of such machines shall be purchased to enable all the electors of such city or town to vote by the use of such machines, and thereafter the election of all officers by the electors thereof and the voting upon all propositions or questions submitted to the electors thereof, shall be done by the use of such machines, except as provided in this act: *provided*, that the voting in annual or special town meetings upon propositions to impose a tax, or upon questions in voting the expenditure of money, need not be so done.

Minimum number of machines.

SEC. 6. At each voting place where such voting machines are used, at least one voting machine shall be furnished for every five hundred qualified electors, and for every fraction of five hundred qualified electors in excess of one hundred, whose names are upon the voting list used at such voting place, and entitled to use such machine. At each such voting place, in all cities, at elections for mayor and members of the board of aldermen and common council, registered voters shall not be permitted to vote upon any voting machine used by voters qualified to vote for members of such boards or councils.

Separate machines for property voters in cities.

Notice of adoption.

SEC. 7. The clerk of any city or town which adopts and purchases voting machines in accordance with the provisions of this act, shall forthwith notify the secretary of state of such adoption and purchase, and no such voting machine shall be used in any election in any such city or town until thirty days thereafter.



SEC. 8. Voting machines which at the time of the passage of this act have been purchased by, or supplied to, any city or town in accordance with the provisions of the then existing law, may hereafter be used in elections in such city or town, although not complying with the requirements of this act concerning the capacity of such machines for candidates' names, if they are adequate in that respect for the purposes of elections held therein. No voting machine shall be used in any election where voting for all the candidates and questions to be voted upon cannot be done by means of such machines; but in such elections all voting shall be done in accordance with the provisions of law which would apply if the use of voting machines had not been ordered.

Voting machines already owned, may be used if adequate.

See section 4, p. 163.

Inadequate machines prohibited.

Manner of voting, if not by machine.

SEC. 9. Every voting machine so used shall be numbered, and the number thereof shall be painted upon such machine in figures not less than three inches in length.

Machines to be numbered

SEC. 10. Every city or town which adopts or purchases voting machines shall employ some skilled mechanic to familiarize himself with the construction and operation thereof, and to instruct from time to time election officers, as they are appointed or elected, in the operation of such machines.

Election officers to be instructed in use of machines.

SEC. 11. Every voting place at which such voting machines are used in the election of officers, or in voting upon propositions or questions required by law to be voted for or upon under the provisions of chapter eleven of the General Laws, shall also be equipped in all particulars, and supplied with official ballots in the same manner and by the same persons, as is provided in said chapter; and all such voting machines used thereat shall be placed within the guard-rail, and located as far as possible conformably to the provisions of said chapter in relation to the placing of voting shelves, by the persons charged with the duty of placing voting shelves by said chapter.

Voting places to be also equipped as for elections under the secret ballot law.

Location of voting machines.

SEC. 12. In case the voting machines, or any of them, required by law for use at any such voting place are not in position and in working order at the time for opening the polls thereat, all voting at such voting place upon that day shall be done in accordance with the provisions of law

Method of voting, if machines are not ready at opening of polls.

which would apply if the use of voting machines had not been ordered.

Method of voting if machines fail, or are inadequate.

SEC. 13. In case at any such voting place, after voting by the use of voting machines has commenced, any voting machine shall fail to operate, the moderator or warden shall immediately seal up the opening of such machine, and shall immediately, if but one voting machine is furnished thereat, or as soon thereafter as in his opinion the remaining voting machines do not furnish ample opportunity for all electors to record their votes when offered, suspend the use of all voting machines at such voting place on that day and seal up the opening of each such machine which has been used. Thereafter on that day all voting thereat shall be done in accordance with the provisions of law which would apply if the use of voting machines had not been ordered.

Suspension of voting by machine, and continuance of election under secret ballot law.

Contemporaneous voting by machine and by ballot, prohibited, except scattering voting.

SEC. 14. In no case, at any voting place, shall voting for or upon the same candidates, propositions, or questions, by the use of voting machines and by ballot be permitted at one and the same time, except as provided in section twenty-six of this act; and in no case shall any attempt be made by any election officer or other person to repair or correct the operation of any voting machine which has failed to operate, after voting by its use has commenced, until after the close of the polls and the removal from such voting machines of the paper record therein, and the recording of the counter record of such machine by the moderator or warden and clerk.

Repair of voting machine during election, prohibited.

"Ballot-caption."

SEC. 15. For the purposes of this act a ballot-caption is defined to be the list of candidates of one political party or organization and of the propositions or questions required by law to be printed as a part of said list, which is affixed to the face-plate of the voting machine in appropriate relation to the push-buttons or other devices by which the elector records his choice. A face-plate is defined to be that part of the voting machine upon which are displayed the subjects of the election for the guidance of the voter. A tally-sheet is defined to be the paper on which the voting machine records by marks, indentations or perforations the votes cast by the electors. A diagram is defined to be a

"Face-plate."

"Tally-sheet."

"Diagram."

printed representation of the face-plate of the voting machine as it appears when the ballot-captions are affixed thereto.

SEC. 16. In equipping such voting machines for use, the ballot-captions shall be arranged upon the face-plate in columns, and each ballot-caption shall contain the names of all the candidates for election who have been duly nominated on behalf of the political party assigned to that column. Beginning at the left of the face-plate, the ballot-caption of the republican party shall be arranged in the first column; the ballot-caption of the democratic party shall be arranged in the second column, and the ballot-captions of other parties or organizations in the columns designated by the secretary of state for all such other parties or organizations which nominate candidates for national, congressional, or general officers, or members of the general assembly, and by the city and town clerks for all such other parties or organizations which nominate candidates for city, town, and voting district officers only. Columns which have been so designated by the secretary of state for such other parties or organizations which do not make nominations for city, town, or voting district officers may be also designated by city or town clerks for parties or organizations which make nominations for such officers only, in case the number of parties or organizations making nominations exceeds the number of columns upon the face-plate of the voting machines. In each of the columns designated by this act, or by the secretary of state, for a political party or organization, shall be printed, as a part of the ballot-caption of such party or organization, the title of any proposition of amendment of the constitution or question which is to be voted upon, with such description thereof as space will allow, in such manner that the electors may approve or reject such proposition or question.

SEC. 17. Immediately upon the expiration of the time for filing nominations with the secretary of state, he shall make the designations required to be made by him by the provisions of section sixteen of this act, and shall at once notify the clerks of the cities and towns where voting machines are used, of such designations.

Arrangement of the ballot-captions.

Republican.

Democratic.

Other parties.

By whom arranged.

Different captions may be in the same column, when.

Questions submitted to electors.

Designation of the columns assigned to third parties.

Arrangement of the names of candidates and questions on the ballot-captions.

SEC. 18. The arrangement of the names of candidates to be voted for, and of propositions of amendment and questions to be voted for and against, on the ballot-captions of the several parties, shall be as follows :

*First*—Electors of president and vice-president.

*Second*—Representatives in congress.

*Third*—General officers.

*Fourth*—Proposed amendments of the constitution.

*Fifth*—Questions submitted to the electors of the state.

*Sixth*—Senators and representatives in the general assembly.

*Seventh*—The question of granting liquor licenses.

*Eighth*—City and town officers.

*Ninth*—Other questions submitted to the electors of any city or town.

*Tenth*—Voting district officers.

Paper and type.

Ballot-captions shall be printed upon white paper in as clear and distinct type as the space will allow.

Form of tally-sheets.

SEC. 19. The tally-sheets used in such voting machines shall be properly ruled and spaced for the purposes of the election, and upon each tally-sheet, or upon a like ruled and spaced paper which shall be pasted upon such tally-sheet, shall be printed the names of the candidates to be voted for and the titles of the propositions or questions to be voted upon, within the spaces in which the marks, indentations or perforations recording the votes cast for such candidates, or for and against such propositions and questions, will appear; and on each such tally-sheet or paper shall be printed or written the name of the city or town and voting district where, and the number of the voting machine in which, it is used.

Form of instruction sheets.

SEC. 20. Instruction sheets shall be printed on white paper or cardboard, in clear type, and shall contain full instructions as to the method of voting by such machines; the method of obtaining assistance in their operation; the method of procedure by electors who desire to vote for persons whose names do not appear on the ballot-captions; and generally any information which will assist the electors in voting.

SEC. 21. The secretary of state and the clerks of the cities and towns where such voting machines are used shall for all elections held therein prepare and supply ballot-captions, tally-sheets, diagrams, and instruction sheets, in the same manner, at the same times, and to the same persons, as they are required by the provisions of chapter eleven of the General Laws to furnish official ballots, specimen ballots, lists of candidates and instruction sheets. Said diagrams shall be posted in such cities and towns previous to the day of election, by the same persons, at the same times, and in the same number and manner, as lists of candidates are required to be by said chapter. For each polling place where such voting machines are used there shall be so supplied at least ten diagrams and ten instruction sheets; and for each voting machine used thereat, at least two tally-sheets and two sets of ballot-captions. Such diagrams and instruction sheets shall be posted up in such voting places by the moderator or warden before the opening of the polls.

By whom ballot-captions, tally-sheets, diagrams, and instruction sheets are to be furnished.

Posting in public places.

Diagrams and instruction sheets for polling places, and posting thereof.

SEC. 22. Before the opening of the polls at any voting place where voting machines are used, the moderator or warden shall set the counter of each such machine at zero, and the clerk and each of the supervisors at such voting place shall satisfy himself that this has been done. The moderator shall also, before the opening of the polls, affix the ballot-captions to the face-plate of each machine, in the columns shown in the diagrams, and carefully and accurately insert in their places in each machine the necessary tally-sheets. He shall then, in the presence of the other election officers, lock and seal the opening of the machine through which the tally-sheets are inserted, and it shall not be unlocked or unsealed by any person, on any pretext whatever, until after the close of the polls.

Adjustment of the voting machines for elections.

Ballot-captions.

Tally-sheets.

Locks and seals.

SEC. 23. Each such voting machine during the time of voting shall be in the charge of a supervisor designated by the moderator or warden. Before any elector enters any such machine he shall give his name to the supervisor, who shall repeat it in a clear, distinct voice to the moderator or warden and clerk. The clerk shall thereupon check such name upon the voting list, and when the moderator or war-

Supervision of the machines during an election.

Method of voting.

den announces that such name has been checked, the supervisor in charge of such machine, shall allow such elector to enter the same and vote.

Conduct of electors within guard-rail.

SEC. 24. Upon being admitted within the guard-rail by the supervisors, each elector, except as provided in section twenty-six of this act, shall immediately proceed to a voting machine and vote, or shall, under the direction of the moderator or warden, or of a supervisor designated by the moderator or warden, take his place in the line of electors awaiting an opportunity to vote. So far as may be, said line shall be formed in the order in which the electors are admitted within the guard-rail, and every elector, except the election officers, shall pass outside of the guard-rail as soon as he has voted.

Time allowed at the voting machine.

SEC. 25. No elector shall be permitted to remain at the voting machine longer than one minute if more than ten other electors are waiting for an opportunity to vote; and in no case shall an elector be permitted to remain longer than two minutes at the machine.

Scattering voting.

SEC. 26. Any elector who desires to vote for a person whose name does not appear on any ballot caption, shall state that fact to the moderator or warden immediately upon passing within the guard-rail. He shall not be allowed to vote upon a voting machine, but shall vote in accordance with the provisions of law which would apply if the use of voting machines had not been ordered.

Assistance in voting.

SEC. 27. Any elector who declares to the moderator or warden that he cannot read the ballot-captions, or that by reason of blindness or other physical disability, he is unable to operate the voting machine, shall, at the direction of the moderator or warden, receive the assistance of two of the supervisors, one a republican and the other a democrat, in operating the voting machine for the purpose of voting, and such supervisors shall not thereafter give any information regarding the same.

Secrecy imposed.

Instruction in voting, after entering the machine.

SEC. 28. In case any elector, after entering a voting machine, shall ask for further instructions concerning the manner of voting, he shall at the direction of the moderator or warden be given such instructions by two supervisors,



one a republican and the other a democrat; but no such supervisor shall in any manner request, suggest, or seek to persuade or induce any such elector to vote for or against any party or candidate, or for or against any proposition or question. After receiving such instructions such elector shall vote as in the case of an unassisted voter.

Prohibitions.

SEC. 29. No election officer, except as provided by law, and no other person, when within said inclosed space, shall witness, or attempt to witness, the act of voting by any elector other than himself.

Voting to be secret

SEC. 30. No elector, after entering any voting machine, shall be permitted upon that day to vote in any other manner for the candidates or upon the propositions or questions displayed upon the ballot-captions of such machine, unless such voting machine fails to record his vote.

Of right to vote entering a machine

SEC. 31. No ballot of any kind shall be given out or used at any voting place where voting machines are used, except by direction of the moderator or warden given pursuant to the provisions of this act.

Use of ballots.

SEC. 32. At every voting place where either one or two voting machines are used, six supervisors in all; at every voting place where three voting machines are used, eight supervisors in all; and at every voting place where four voting machines are used, ten supervisors in all, shall be appointed to serve, in the manner provided in chapter eleven of the General Laws.

Supervisors of election.

SEC. 33. At the close of the polls the moderator or warden, and clerk, shall make a record in ink in the record book of the number of electors who have voted in each voting machine as shown by the counter thereof, and shall remove the tally-sheets from the machines, and shall count, by mechanical counter or otherwise, the votes given in for each candidate and for and against each proposition or question, and declare the same in open meeting.

Record of election by election officers.

Count, and declaration of election.

SEC. 34. All provisions of law in relation to the conduct of elections and to the handling and disposition of ballots cast thereat, not inconsistent with the provisions of this act, shall apply to elections at which voting machines are used and to the handling and disposition of the tally-sheets used in such machines.

Application of ballot law to elections by machines.

Penalty for false statement of inability.

SEC. 35. Any elector who shall make a false statement as to his inability to operate a voting machine shall be punished by a fine of not less than five nor more than one hundred dollars.

Penalty for wilful injury to posters.

SEC. 36. Any person who shall, previous to an election, wilfully deface or destroy any diagram posted in accordance with the provisions of this act, or who, during an election, shall wilfully deface, tear down, remove, destroy, or mark any instruction sheet or diagram printed or posted for the instruction of voters, shall be punished by a fine of not less than fifty nor more two hundred dollars, or by imprisonment for not more than three months, or by both such fine and imprisonment.

Penalty for neglect of duty by election officers.

SEC. 37. Any public officer upon whom a duty is imposed by this act, who shall wilfully neglect to perform such duty, or who shall perform it in such a way as to hinder the objects of this act, shall be punished by a fine of not less than fifty nor more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

Operative clause.

SEC. 38. Chapter 744 of the public laws, passed at the January session, A. D. 1900, is hereby repealed; and this act shall take effect upon its passage.

## FRANCHISES.

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The existing relations between the city of Providence and the corporations having franchises, exclusive and otherwise, to use the highways for their business are governed by statutes of the General Assembly granting franchises or authorizing contracts to be made with these corporations. Under these enabling statutes action has been taken by the City Council in relation to the respective corporations as follows :

### UNION RAILROAD COMPANY.

On May 3, 1892, the General Assembly passed an act granting to the Union Railroad Company an exclusive right to do business in the city of Providence for a period of twenty years from July 1, 1892, upon the payment of a special tax of three per centum per annum of its gross earnings in the city of Providence for a period of five years and thereafter upon the payment of not less than three per centum nor more than five per centum per annum for each succeeding period of five years. On May 23, 1893, the General Assembly passed an act requiring the Providence Cable Tramway Company and the Union Railroad Company to make additional payments for the use of certain of the streets in the city of Providence, and in addition to and in amendment of an act concerning the Union Railroad Company passed at the January session, A. D. 1892. This act also granted exclusive rights to the Providence Cable Tramway Company to do business in certain streets in the city of Providence for a period of twenty years from May 3, 1892, and provides that the Union Railroad Company as the owner of substantially all of the stock of said Tramway Company shall pay a special tax upon its gross earnings at the same rate as shall at the same time be paid to the

See Franchise Act,  
p. 181.

For this Act see p.  
187.

- city by said Union Railroad Company. It was also provided in this act that the payments required to be made by the act should commence whenever the provisions of this act were accepted in writing by the city of Providence by vote of its City Council, and such assent delivered to said railroad companies, and when the same shall have been accepted by said companies and such assent delivered to said city.
- Acceptance by City Council. On May 29, 1893, this act was accepted by the City Council by Resolution No. 327, and the agreements therein provided for were exchanged with said railroad companies.
- Rate of Special Tax. By Resolution No. 163, approved May 3, 1898, the City Council accepted the proposal of the Union Railroad Company dated April 22, 1898, agreeing to pay to the city of Providence five per centum per annum on its gross receipts for the period of five years from July 1, 1897, the representatives of the city and the railroad company having failed to agree on the rate of said special tax as provided in said act of 1892, and arbitrators having been appointed to determine said rate, but before action thereon by the arbitrators said company agreed to pay the full rate fixed by statute.
- Freight traffic agreement. On January 4, 1899, an agreement was made by the City Council with the Union Railroad Company to haul freight cars in certain streets; and provision for freight traffic connections was also made in Chapters 88 and 89 of the city ordinances, approved December 20, 1900.
- Lease of Railroad Terrace. By Resolution No. 257, approved July 7, 1899, the City Council approved an agreement leasing to the Union Railroad Company a right of way for street railway tracks on Railroad Terrace, so called, upon the payment of a yearly rental of \$100 and including said tracks in its mileage upon which a special tax is paid.
- Transfers. The question of transfers has been agitated in the City Council since 1887, and various committees have reported on the subject. Under the act of 1895 (Chapter 1403) authorizing the making of a supplementary contract between the city and the Union Railroad Company for the construction of cross town lines and the establishment of a system of transfers, a committee was appointed, but no action was taken under said act.
- See this Act p. 191.

Chapter 373, passed May 7, 1896, authorizing the establishment of a system of free transfers and transfer stations was considered by a committee of the City Council. On September 14, 1896, the Common Council indefinitely postponed the further consideration of said system of transfers.

The relations between street railway companies and the State of Rhode Island are set forth in Chapter 580, passed June 15, 1898, entitled "An act providing for a tax on street railways."

Transfers and Transfer Stations.

See Act p. 193.

Agreement between street railway companies and the State of Rhode Island.

See this Act, p. 197.

#### NARRAGANSETT ELECTRIC LIGHTING COMPANY.

On May 19, 1892, the General Assembly passed an act granting to the Narragansett Electric Lighting Company an exclusive right to manufacture and distribute electricity for light, heat and power in the city of Providence for a period of twenty years from July 1, 1892, upon the payment to the city of three per centum per annum of its gross earnings in the city of Providence for a period of ten years, and not less than three per centum nor more than five per centum per annum for the second term of ten years. Said act also provides that unless the city and said company shall agree upon the price to be paid by the city for electric street lights, then the price of said street lights shall be fixed by arbitration. The price of street lights was fixed by arbitration under a contract for 1,300 lights, dated October 29, 1892, authorized by the City Council by Resolution No. 632, approved October 8, 1892. On March 14, 1895, a supplementary contract was made increasing the number of lights to 1,800.

For Act referred to see p. 203.

On July 5, 1898, a new contract was made by the City Council with the Narragansett Electric Lighting Company whereby said company agreed to place its wires underground in the close building district, and the term of the then existing contracts for street lights was extended from 1902 to June 15, 1906, at a reduced sliding scale of prices. In consideration of this agreement the Electric Lighting Company agreed to pay to the city from and after July 5, 1898, until July 1, 1912, five per centum per annum on its gross earnings in the city of Providence, and this proposal was accepted by

Contracts for street lights.

Chapter 843 of the city ordinances, approved July 11, 1898. Contracts were also made with the Electric Lighting Company for street lights dated September 17, 1898, for illuminating the approaches to the new railroad passenger station; and also on May 12, 1900, for 1850 incandescent electric lights to take the place of gasoline lamps.

PROVIDENCE GAS COMPANY.

Authorized by Ch.  
975, p. 178.

An agreement was made by the City Council with the Providence Gas Company under the provisions of Chapter 975, of May 25, 1891, (now Chapter 77 of the General Laws) granting said company the exclusive use of the highways for the purpose of distributing illuminating gas. This contract was made under authority of Resolution No. 477, series of 1892, and grants said Gas Company a twenty year franchise from August 8, 1892, upon the payment to the city of three per centum per annum on its gross earnings during said period.

PROVIDENCE TELEPHONE COMPANY.

Authorized by Ch.  
975, p. 178.

On December 6, 1892, the City Council passed an ordinance granting the Providence Telephone Company permission to construct and maintain underground conduits for telephone wires, and to carry on a telephone business, upon the payment of an annual tax equal to one and one-half per centum upon the gross receipts of its business derived from the rental of telephones in the city of Providence. This grant, however, provided that said conduits shall be subject at all times to the control of the City Council, and that any part or parts thereof "shall be removed, altered or changed on ninety days' notice in writing, whenever in the opinion of the City Council, such removal, alteration or change shall be required for the public convenience." This ordinance was accepted in writing by said Telephone Company. On February 7, 1899, a new ordinance (Chapter 873) was adopted by the City Council authorizing said company to build subways and to continue to carry on a telephone business. It was accepted by said company in writing, and by filing the \$25,000 bond therein



required, on February 28, 1899. This ordinance provides that on and after January 1, 1900, said company shall pay into the city treasury quarterly three per centum per annum on its gross earnings derived from the rental of telephones within the city of Providence. It also provides that said company shall furnish, free of expense, ducts for all city wires, and shall also, whenever required, lease conduit space in its subway system in the close building district for the overhead wires of the telegraph and signal companies located in said district. In case any competing telephone company shall be authorized to do business in Providence, and shall use any of the manholes of said Providence Telephone Company, then said special tax of three per centum per annum shall be abated. This ordinance, however, was made subject to the terms and conditions of Chapter 561 (now Chapter 54 of the Revised Ordinances) regulating the use and operation of electric wires.

NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY.

The New York, New Haven and Hartford Railroad Company has a twenty year franchise to occupy and use India street for its business upon the payment to the city of \$1,000 per annum and certain other conditions governing the reception and delivery of freight. This franchise was granted by Chapter 88 of the city ordinances, approved December 20, 1900, and this ordinance was accepted by said company on December 21, 1900.

Authorized by Ch.  
77, p. 178.

**General Laws**

OF FRANCHISES IN HIGHWAYS.

Chapter 77,  
re-enacting  
**Chapter 975**  
of May 29, 1891.

SECTION

1. City Council may grant franchises in streets.
2. Grants may be for twenty-five years; corporation already established to have preference; neither of two or more corporations already established to have exclusive rights without consent of the other; private estates may be connected.
3. Corporations to make returns of gross earnings to city treasurer; special tax to be paid thereon; and if not

SECTION

- paid, city treasurer may collect double the amount; proportion of tax to be paid to different towns if more than one.
4. Present rates for service not to be raised by corporation.
  5. Corporations are subject to regulation by city council; appeal by corporation for relief from such regulation.
  6. Charge for use of streets to conform to this chapter.

Franchises in the streets.

SECTION 1. Any town or city, by vote of the town council or city council, may pass ordinances or make contracts to be executed by its proper officers, granting rights and franchises in, over, or under the streets and highways in such town or city to such corporation, and for the purposes and upon the condition hereinafter specified.

Exclusive rights.

SEC. 2. Such grants, whether by ordinance or by contract, may confer upon any corporation created by the General Assembly of Rhode Island for the purpose of distributing water, or for the purpose of producing, selling and distributing currents of electricity to be used for light, heat, or motive power, or for the purpose of manufacturing, selling and distributing illuminating or heating gas, or for the purpose of operating street railways by any motive power, or for the purpose of operating telephones, the exclusive right, for a time not exceeding twenty-five years, to erect, lay, construct and maintain for the purposes for which such corporation is created, poles, wires, pipes, conduits, rails, or cables, with necessary and convenient appurtenances as may be required for the conduct of the business of such corporation, in, over or under the streets of such town or city: *provided, however,* that no grant of exclusive rights or franchises for either of the purposes aforesaid shall be made by any city or town wherein at the time a corporation created for the same purpose, or a person duly authorized by law to use the streets for such purpose, shall be in actual use and enjoyment of such rights, except to such corporation or person already carrying on business in such city or town;

Established corporations to have preferences.

*and provided further*, that whenever in any city or town more than one corporation shall at the time be in actual use and enjoyment of portions of the streets and highways for either of the purposes aforesaid, no exclusive right or franchise shall be granted to either without the consent of the other : *and provided further*, that no such grant shall prevent any town or city from permitting any person or corporation to use such streets or highways for any of the purposes aforesaid in order to connect and serve any two or more estates owned by such person or corporation.

SEC. 3. Every corporation which shall accept exclusive rights or franchises granted by ordinance or contract under the provisions of this chapter, shall make and render to the treasurer of the town or city granting the same, on or before the thirtieth day of January, April, July and October in every year, returns, verified by the oath of its president or treasurer, of the gross earnings of such corporation within such town or city for the period of three months next preceding the first day of January, April, July and October in the same year, and shall at the same time pay to such town or city treasurer, in full payment for the rights and franchises aforesaid, a special tax upon said gross earnings at a rate not exceeding three per centum upon the gross earnings of said corporation within said town or city in such year. In case any such corporation shall neglect to make payment of such quarterly tax as aforesaid, said town or city treasurer may collect and recover of said corporation, as other taxes are collectible, double the amount of the special tax shown to be due by the last preceding quarterly return of such corporation. In case any such corporation shall do business in more than one town or city, and it shall be unable to ascertain the amount of its gross earnings in each town or city separately from actual accounts kept thereof, its returns of gross earnings to be made as aforesaid shall state the gross earnings of its entire business and the length of its wires, pipes, mains, or tracks in the streets and highways of each town or city, and the gross earnings from its business in the town or city shall be taken to be that proportion of the whole gross earnings which the length of its wires,

When two or more corporations, neither to have an exclusive right without consent of the other.

Private estates may be connected.

Corporations are to make returns of gross earnings to town or city treasurers.

Special tax.

When town or city treasurer may collect.

Proportion of tax to different towns.

pipes, mains, or tracks in the streets and highways of such city or town bears to the total length of all its wires, pipes, mains, or tracks in streets and highways.

Limit of price.

SEC. 4. No corporation which shall acquire exclusive rights or franchises under the provisions of this chapter, shall, at any time during the continuance thereof, charge for its product, wares, or service to any town or city or the inhabitants thereof, any greater price than the price actually charged by it at the time of the granting of such rights or franchises, both prices being reckoned in United States gold coin of the standard weight and fineness in force at the time of granting of said right or franchise, or in the equivalent thereof in actual value in other lawful money of the United States.

Corporations subject to regulations of town or city council.

SEC. 5. The use and enjoyment of all rights and franchises granted under the provisions of this chapter shall be subject to such reasonable rules and regulations and orders, controlling the extent and quality of construction and service to be maintained by the corporation to which such rights are granted, and prescribing the location and arrangement of its tracks, poles, wires, or conduits, and their appurtenances, as are, or may be from time to time, enacted by the town or city councils. In case any such regulation or enactment shall seem to any such corporation to be unreasonable, such corporation, within thirty days after the same has been passed, may file its petition in equity in the appellate division of the Supreme Court praying for a decision of the question whether such regulation or order is or is not reasonable in the premises; and thereupon the said court, after notice to the city or town, shall proceed to hear and determine the matter according to the course of equity, and their decision and decree therein shall be final and binding.

How corporations may secure relief from regulations.

Charge for use of streets.

SEC. 6. No city or town shall make any charge to any such corporation for the use of its streets except under and in accordance with the provisions of this chapter: *provided*, that any city or town may require that any street railway company shall continue to conform to any existing requirements as to paving and keeping in repair such streets and highways.

AN ACT CONCERNING THE UNION RAILROAD  
COMPANY.

Act of 1892

May 3.

SECTION

1. Union Railroad Company may issue mortgage bonds for 20 years to the amount of \$3,000,000.
2. Exclusive rights for 20 years from July 1, 1892; City Council may regulate operation of railroad; substitution of one street for another; discontinuance of trolley system.
3. Obligations and rights are not impaired.
4. Motive power.
5. Quarterly return of gross earnings; special tax on gross earnings and

SECTION

- how ascertained; double tax in case of neglect to pay; in case of doubt, gross earnings to be measured by proportional length of main track in city and towns.
6. City Council may order opening of new lines of road.
7. Carrier service for other railroad companies; grade crossings to be regulated by City Council.
8. Rates of fare.
9. Motive power.
10. Operative clause.

*It is enacted by the General Assembly as follows:*

SECTION 1. The Union Railroad Company is hereby authorized and empowered to issue, from time to time, its first mortgage bonds, bearing interest, payable, in gold coin of the United States of the present standard of weight and fineness, twenty years after date, to an amount not exceeding three million dollars, and to execute and deliver to a trustee or trustees a first mortgage of all its railroads and property, real, personal and mixed, including any stock in any other corporation held by it, and all its powers, rights, privileges and franchises, which it may have or in any way be entitled to at the time, or which it may hereafter acquire anywhere, to lay, maintain, use, and operate its rails, tracks, poles, wires, switches, turntables, turnouts, railroads and all their appurtenances and cars thereon, by any motive power, to secure the payment of said bonds; such mortgage to contain such powers of sale and provisions for sinking fund as said Union Railroad Company may provide.

SEC. 2. The Union Railroad Company, and any party claiming title from it under said mortgage hereinbefore authorized, in addition to all the powers, rights, privileges and franchises, which said Union Railroad Company now has or is in any way entitled to anywhere, shall, for a period of twenty years from and after the first day of July, A. D. 1892, have in the city of Providence the exclusive right,

Union Railroad Co. may issue mortgage bonds for 20 years to amount of \$3,000,000.

Exclusive rights for 20 years from July 1, 1892.

For right to carry freight see Union R. R. charter, passed Jan. 20, 1865. Also City Ordinance approved Dec. 6, 1865.

and in other towns and cities the right, to keep, maintain in good order and repair, use and operate by any motive power and in any manner in which it may lawfully do at said date, or thereafter be authorized to do during said period, its tracks, rails, poles, wires, railroads, with their switches, turnouts, turntables, and appurtenances, and the cars, motors, and vehicles thereon, in the same streets and highways as at the time of executing said mortgage, and thereafter during said period said tracks, rails, poles, wires, railroads, switches, turnouts, turntables, and appurtenances shall, from time to time, be built and constructed: *provided, however*, that the city and town councils of the several cities and towns in which the same are located may, from time to time, impose such reasonable rules and regulations as to the rate of speed and the manner of operating the said railroads, and the grade and manner of location, re-location, and construction of any such rails, tracks, poles, wires, switches, and turnouts in any street or highway within their respective cities and towns, as the public good may require; *and, provided further*, that such town or city council may, at any time when the public good requires that there should be no rails in any street or highway, require said Union Railroad Company, or party claiming title under it as aforesaid, upon ninety days' written notice, to take up and remove its tracks, rails, poles, or wires in such street or highway, and forthwith upon the removal thereof such city or town shall grant to said company or party a right, as nearly similar in public convenience as possible, to construct, maintain, use and operate the same in another street or highway of such city or town; *and provided further*, that if at any time any method of street car propulsion, other than the trolley system, so called, shall be invented or perfected, so as to be of equal practical and commercial value as such trolley system, the city of Providence shall have the right to order the removal from the streets or highways in said city of any and all poles and wires used in connection with such trolley system, by giving one year's notice in writing to said company or party.

City Council may regulate operation of railroad.

Substitution of one street for another.

Discontinuance of trolley system.



SEC. 3. Nothing in this act contained shall be construed in any way to relieve the Union Railroad Company, or any party claiming title under it as aforesaid, from any obligation to pave and keep in repair any portion of any street or highway, or to pay any tax or money which it may now or hereafter be under legal obligation to any city or town to do or pay, nor to prevent said company or any city or town from making any contract, granting any franchise, imposing any special tax, or doing any act or thing which they are authorized to do under the provisions of Chapter 975 of the public laws.

Obligations and rights are not impaired.

SEC. 4. Nothing in this act contained shall prevent the city council of any city, or the town council of any town, from authorizing or permitting from time to time said Union Railroad Company to use any motive power in any street or highway of such city or town, which said company or party may now or hereafter by law be authorized to use.

Motive power

SEC. 5. The Union Railroad Company, or any corporation or party claiming title under it, shall make and render to the treasurer of the city of Providence on or before the thirtieth day of January, April, July and October, in every year, returns, verified by the oath of such party, or if a corporation by the oath of its president or treasurer, of the gross earnings of such corporation or party within said city of Providence for a period of three months next preceding the first day of January, April, July and October, in the same year, and shall at the same time pay to said city treasurer, in full payment for the rights and privileges in and to the streets and highways of said city hereinbefore granted, a special tax upon said gross earnings, at the rate of three per centum upon the gross earnings of said corporation or party within said city in such year, for a period of five years next succeeding the first day of July, A. D. 1892, and at a rate of not less than three per centum, nor to exceed five per centum upon such gross earnings for each next succeeding period of five years during the period of such exclusive right, to be determined in the manner hereinafter provided, to wit: The said railroad company and the City Council of said city of Providence shall, at least three months previous to

Quarterly return of gross earnings.

Special tax on gross earnings.

How ascertained.

the commencement of the second, third, and fourth periods of five years each, agree upon such rate, if possible; in case said City Council and said corporation or party shall fail to agree as aforesaid at least two months prior to the commencement of each of said periods, three disinterested persons shall be chosen, one by the City Council of said city in joint convention, one by the said corporation or party, and the third by the two so chosen, who shall determine the rate which shall be just to be paid, and paid, during the said period of five years succeeding their appointment, and the determination of said disinterested persons, or a majority of them, shall be final and conclusive upon said city and upon said corporation or party: *provided*, that in case the City Council of said city, or said corporation or party, shall not appoint as aforesaid, the other of said parties may appoint the first two disinterested persons; *and provided*, that in case the two persons first appointed shall not appoint as aforesaid, either the city of Providence, or said corporation or party, may, after ten days' notice, apply to any justice of the supreme court to appoint said disinterested person; and in case said corporation or party shall neglect to pay such quarterly tax as aforesaid, said city treasurer may collect and recover of said corporation or party, as other taxes are collectible, double the amount of the special tax shown to be due by the last preceding quarterly return of said corporation or party. In case said corporation or party shall do business in any town or city besides the city of Providence, and it shall be unable to ascertain the amount of its gross earnings in each town or city separately, from actual accounts kept thereof, its returns of gross earnings, to be made as aforesaid, shall state the gross earnings of its entire business and the length of its said tracks, exclusive of sidings and turn-outs, in the streets and highways of each town or city; and the gross earnings from its business in the city of Providence shall be taken to be that proportion of the whole gross earnings which the length of such tracks of said company or party in the streets and highways of the city of Providence bears to the total length of all such tracks of said company or party in streets and highways in all said cities and towns,

Double tax in case of neglect to pay.

In case of doubt, gross earnings to be measured by proportional length of main track in city and towns.

and the payment hereinbefore provided for shall be in lieu of all payments heretofore made to the city of Providence for the use of its streets and highways.

SEC. 6. Whenever in the opinion of the City Council of the city of Providence the public good requires that a street railway line or lines shall be constructed in said city in addition to the lines then in operation by said railroad company, or party claiming title under it, said City Council may, at any time and from time to time during the existence of said twenty years' franchise, order said railroad company, or party claiming under it, to build, construct, equip, and operate such line or lines within said city within one year after the passage of said order; and upon default on the part of said railroad company, or party claiming under it, to build, construct, equip, and operate said line or lines in accordance with such order, the exclusive rights granted by this act shall thereupon cease and determine.

City Council may order opening of new lines of road.

SEC. 7. Said railroad company and any party claiming title under it shall, at all reasonable times during the continuance of the exclusive rights or privileges granted under this act, transport by its own power from the terminus of its lines, at or outside of the city line, into and in the city of Providence to a point at or near the centre of its system of lines or tracks, all passengers and cars of any other street railroad line connecting with its line at such terminus, as may be delivered to it by such line, in consideration of a fair and reasonable compensation to be paid to it for such service, the amount of such compensation to be determined, in default of agreement between said parties, by the supreme court sitting in equity upon petition to be preferred by either of said parties; but nothing in this act shall affect or impair the right of the City Council of the city of Providence to grant to any other street railroad company operating lines in said city the right to cross at grade the lines of said railroad company, or party claiming title under it.

Carrier service for other railroad companies.

Grade crossings to be regulated by City Council.

SEC. 8. Said railroad company shall not, nor shall any party claiming title under it, at any time during the continuance of the exclusive right or privileges granted under this act, charge for its service within said city any greater rates

Rates of fare.

of fare than the rates actually charged by said railroad company at the time of the passage of this act for such or equivalent service, both rates being reckoned in United States gold coin of the standard weight and fineness in force at the time of the passage thereof, or in the equivalent thereof in actual value in other lawful money of the United States.

Motive power.

SEC. 9. Nothing in this act contained shall be held or construed to authorize the said Union Railroad Company to use the trolley system, or any motive power other than animals, in any street or highway in any town or city, except upon permission of the City Council or town council thereof, to use the same in such street or highway first being had and obtained.

Operative clause.

SEC. 10. All acts and parts of acts, and all rules and regulations, terms, conditions, and ordinances, of any town council or City Council, and all acceptances thereof and assents thereto of said railroad company, or of any companies consolidated into or with it, inconsistent herewith, are hereby repealed and annulled; and all cities and towns holding any such acceptances or assents are hereby required by their proper officers to forthwith cancel and discharge the same; and this act shall take effect from and after its passage.

AN ACT REQUIRING THE PROVIDENCE CABLE TRAMWAY COMPANY AND THE UNION RAILROAD COMPANY TO MAKE ADDITIONAL PAYMENTS FOR THE USE OF CERTAIN STREETS IN THE CITY OF PROVIDENCE, AND IN ADDITION TO AND IN AMENDMENT OF "AN ACT CONCERNING THE UNION RAILROAD COMPANY," PASSED AT THE JANUARY SESSION, A. D. 1892.

**Act of 1893**

May 23.

Union R. R. Act of 1892 amended.

- SECTION
1. Union Railroad Co. and Providence Cable Tramway Co. to pay a tax on the gross earnings; quarterly returns.
  2. Exclusive rights also granted to Tramway Company.
  3. Payments to begin on acceptance of act by City Council.
  4. City Council to make rules and regulations for operating cars; rails

- SECTION
- may be removed but new locations must be provided; new system of street car propulsion to be used, when.
  5. Streets to be paved and kept in repair.
  6. Motive power; other companies may cross tracks at grade.
  7. Rates of fare shall not be increased.
  8. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The Union Railroad Company, as the owner of substantially all the capital stock of the Providence Cable Tramway Company, in addition to the payments required to be made in and by virtue of the terms of the act entitled "An act concerning the Union Railroad Company" aforesaid, and in consideration of the grants contained in this act, shall also make and render, or cause to be made and rendered, to the treasurer of the city of Providence, on or before the thirtieth day of January, April, July and October, in every year, returns, verified by the oath of the party making such returns, of the gross earnings of said Providence Cable Tramway Company in said city of Providence, for the period of three months next preceding said first days of January, April, July and October, in the same year; and shall, at the same time, pay, or cause to be paid, to the said city treasurer, in full payment of the rights and privileges of said Providence Cable Tramway Company in and to the streets and highways in said city, a special tax upon its gross earnings, at the same rate as shall at the same time be paid by the said Union Railroad Company

Union R. R. Co. and Cable Tramway Co. to pay a tax on gross earnings.

Quarterly returns.

on its gross earnings in said city under the provisions of said act concerning the Union Railroad Company.

Exclusive right is granted to Tramway Company.

SEC. 2. In addition to the exclusive right which is granted to the Union Railroad Company to keep, maintain, use and operate tracks, rails, poles, wires, railroads with their switches, turnouts and appurtenances, and cars, motors, and vehicles thereon, for the purposes for which said Union Railroad Company has been created, in the streets and highways in the city of Providence, occupied by said company on the third day of May, 1892, and in such other streets and highways in said city as should thereafter, by authority of the City Council, be occupied by said railroad company within twenty years from said date, the exclusive right is also hereby granted to the Providence Cable Tramway Company to keep, maintain in good order and repair, use, and operate by any motive power, and in any manner in which it may now or hereafter lawfully do, for the purposes for which it has been created, tracks, rails, poles, wires, cables, and railroads, with their switches, turnouts, turntables and appurtenances, and the cars, motors and vehicles thereon, in College street, Prospect street, Waterman street, Angell street, and South Angell street, in the city of Providence, such exclusive rights to continue for a period of twenty years from and after the said third day of May, 1892.

Payments to begin on acceptance of act by City Council.

See p. 174.

SEC. 3. The additional payments, required to be made by this act, shall commence whenever the provisions of this act shall have been accepted in writing by the city of Providence by vote of its City Council, and such assent shall have been delivered to said Union Railroad Company and said Providence Cable Tramway Company, and when the same shall have been accepted by said Union Railroad Company and said Providence Cable Tramway Company, and such assent delivered to said city of Providence.

City Council to make rules and regulations for operating cars.

SEC. 4. The City Council of the city of Providence may, from time to time, impose such reasonable rules and regulations as to the rate of speed and the manner of operating the said railroad, and the grade and manner of location, relocation and construction of any such rails, tracks,



poles, wires, switches and turnouts in any street or highway within said city, as the public good may require; and provided further, that such City Council may, at any time when the public good requires that there should be no rails in any street or highway, require said Providence Cable Tramway Company, or their successors, upon ninety days' written notice, to take up and remove its cables, conduits, apparatus, tracks, rails, poles, or wires in such street or highway, and forthwith upon the removal thereof such city or town shall grant to said company or party a right, as nearly similar in public convenience as possible, to construct, maintain, use and operate the same in another street or highway of such city or town; and provided further, that if at any time any method of street car propulsion, other than the cable or trolley system, shall be invented or perfected so as to be of equal practical and commercial value, the city of Providence shall have the right to order the removal from the streets or highways in said city of any and all cables, conduits, apparatus, poles, and wires used in connection with such cable or trolley system, by giving one year's notice in writing to said company or party.

SEC. 5. Nothing in this act contained shall be construed in any way to relieve the Union Railroad Company, or the Cable Tramway Company, from any obligation to pave and keep in repair any portion of any street or highway, or to pay any tax or money which it may now or hereafter be under legal obligation to said city to do or pay, nor to prevent said company or said city from making any contract, granting any franchise, imposing any special tax, or doing any act or thing which they are authorized to do under the provisions of Chapter 975, of the public laws.

SEC. 6. Nothing in this act contained shall prevent the City Council from authorizing or permitting from time to time, said Union Railroad Company or said Providence Cable Tramway Company to use any motive power in any street or highway of such city or town which said company or party may now or hereafter by law be authorized to use; but nothing in this act shall affect or impair

Rails may be removed, but new locations must be provided.

New system of car propulsion to be used, when.

Streets to be paved and kept in repair.

See p. 178.

Motive power.

Other companies  
may cross tracks at  
grade.

the right of the City Council of the city of Providence to grant to any other street railroad company operating lines in said city the right to cross at grade the lines of said tramway company or party claiming title under it.

Rates of fare shall  
not be increased.

SEC. 7. Said Providence Cable Tramway Company shall not, at any time during the continuance of the exclusive right or privileges granted under this act, charge for its service within said city any greater rates of fare than the rates actually charged by said company at the time of the passage of this act for such or equivalent service, both rates being reckoned in United States gold coin of the standard weight and fineness in force at the time of the passage thereof, or in the equivalent thereof in actual value in other lawful money of the United States.

Operative clause

SEC. 8. All acts and parts of acts, and all rules and regulations, terms, conditions and ordinances of the City Council of the City of Providence, and all acceptances thereof and assents thereto of either of said companies, or of any companies consolidated into or with it or them, inconsistent herewith, shall be repealed and annulled by the filing of the assents of said City Council and said companies herein provided for: *provided*, that nothing in this act shall be construed to release the Union Railroad Company from any obligations imposed upon it by the said act concerning the Union Railroad Company; and this act shall take effect from and after its passage.

## Act of 1893

May 17.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE PROVIDENCE CABLE TRAMWAY COMPANY," AND OF THE SEVERAL ACTS IN AMENDMENT THEREOF AND IN ADDITION THERETO.

SECTION

1. Providence Cable Tramway Co. may use electricity as a motive power.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows:*

Providence Cable  
Tramway Co. may  
use electricity as a  
motive power.

SECTION 1. The Providence Cable Tramway Company shall have the right to use electricity as a motive power for

the transportation of persons over any of its tracks: *provided*, that the consent of the City Council of any city, and of the town council of any town, in which such tracks are located, be first obtained to the use thereof in such city or town.

SEC. 2. This act shall take effect immediately, and all acts and parts of acts inconsistent herewith are hereby repealed.

Operative clause.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 598 OF THE PUBLIC LAWS, PASSED AT THE JANUARY SESSION, A. D. 1866, ENTITLED "AN ACT TO REVISE, CONSOLIDATE AND AMEND THE ACT ENTITLED 'AN ACT TO INCORPORATE THE CITY OF PROVIDENCE' AND THE SEVERAL ACTS IN ADDITION THERETO AND IN AMENDMENT THEREOF," AND IN AMENDMENT OF AND IN ADDITION TO THE ACT PASSED AT THE JANUARY SESSION, A. D. 1893, ENTITLED "AN ACT REQUIRING THE PROVIDENCE CABLE TRAMWAY COMPANY AND THE UNION RAILROAD COMPANY TO MAKE ADDITIONAL PAYMENTS FOR THE USE OF CERTAIN STREETS IN THE CITY OF PROVIDENCE, AND IN ADDITION TO AND IN AMENDMENT OF 'AN ACT CONCERNING THE UNION RAILROAD COMPANY,' PASSED AT THE JANUARY SESSION, A. D. 1892."

## Chapter 1403

of April 11, 1895.

### SECTION

1. City may make new contracts with Union Railroad and Providence Cable Tramway companies.
2. Contracts to be authorized by City Council and signed by the Mayor.
3. Contracts may grant exclusive rights

### SECTION

- for 25 years and provide for cross-town lines and transfers.
4. Compensation for use of streets to be agreed upon; to be in lieu of any obligation except general taxes.
5. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city of Providence is hereby authorized and empowered to make, as hereinafter set forth, a new contract or contracts with the Union Railroad Company and the Providence Cable Tramway Company, or either of them,

City may make new contracts with Union Railroad and Prov. Cable Tramway companies.

in addition and supplemental to the contracts now existing between said city and said companies by authority of an act passed at the January session, 1893, entitled "An act requiring the Providence Cable Tramway Company and the Union Railroad Company to make additional payments for the use of certain streets in the city of Providence," and in addition to and in amendment of "An act concerning the Union Railroad Company," passed at the January session, A. D. 1892," and whereby the said city and said companies have accepted and assented in writing to the grants made by said act to said companies of exclusive rights in the streets and highways of said city, on the terms and conditions in said act set forth.

Contracts are to be authorized by City Council and signed by the Mayor.

SEC. 2. Said supplemental contract or contracts shall be in writing, and shall be executed and acknowledged in behalf of said city by its mayor in such form as he shall be authorized by joint resolution of the City Council of said city.

Contracts may grant exclusive rights for 25 years and provide for cross-town lines and transfers.

SEC. 3. Said supplemental contract or contracts may fix the terms and conditions on which the exclusive rights granted to said companies by said act, and assented to as aforesaid, and any other rights which shall be mutually agreed upon by the parties to said contract or contracts, shall be held and enjoyed by said companies, or either of them, for a term of not more than twenty-five years from the date of such contracts respectively, including provisions for the establishment and maintenance by said companies, or either of them, of a cross-town line or lines of street railway in said city, and the establishment of a proper system of transfer tickets thereon, or of any other matter or matters in connection with the maintenance, operation and use of street railway lines in said city by said companies, or either of them, during said term, as shall be agreed upon by the respective parties to such supplemental contract or contracts.

Compensation for use of streets under such contracts to be agreed upon.

SEC. 4. Said supplemental contract or contracts may provide that said companies, or either of them, shall pay to said city for the use of its streets and highways, and for said exclusive and other rights therein, during said term, such

sums of money, at such times, and in such manner as shall be mutually agreed upon by the parties to said contracts, in lieu and satisfaction of the payments provided for by said act, or of any other obligation or liability, except for general taxes, imposed upon or assumed by said companies, or either of them, by said act or any other statute, act, ordinance, resolution, contract, agreement, acceptance, or assent, now or hereafter in force during said term, and governing or in any wise affecting the mutual relations, rights, duties, and obligations of said city and said companies, or either of them.

To be in lieu of any obligation except for general taxes.

SEC. 5. All acts and parts of acts inconsistent herewith are hereby repealed; and this act shall take effect from and after its passage.

Operative clause.

AN ACT TO PROVIDE A SYSTEM OF FREE TRANSFERS IN THE CITY OF PROVIDENCE, AND FOR OTHER PURPOSES, AND IN ADDITION TO AN ACT ENTITLED "AN ACT CONCERNING THE UNION RAILROAD COMPANY," PASSED AT THE JANUARY SESSION A. D. 1892.

## Chapter 373

of May 7, 1896.

### SECTION

1. Union Railroad Company to furnish a system of free transfers, when; location of central station to be furnished by the city; transfer cars to be run over all routes within the city limits; free transfers; minor transfer stations may be erected in streets and public places; company to be relieved for five years from paving or repaving streets after establishment of transfer system; transfer system to be established

### SECTION

- within six months after city shall furnish location for central station; similar systems may be provided for other cities and towns.
2. Rate of fare fixed at five cents until 1912; rate of fare not to be increased.
3. Provisions of law relating to acts of incorporation waived; this act to go into effect upon filing of acceptance by Railroad Company.

*It is enacted by the General Assembly as follows:*

SECTION 1. The Union Railroad Company shall, at the times and subject to the conditions and whenever furnished the locations as hereinafter set forth, establish in the city of Providence a suitable central transfer station near the centre of its system at or near Weybosset Bridge, and such other minor transfer station or stations at other points in the streets, highways, or other public places of said city as may

Union Railroad Co.,  
to furnish a system of  
free transfers, when.

Location of central station to be furnished by the City.

be necessary to carry out the purposes of this act, and as may be agreed upon from time to time between said Union Railroad Company and the city of Providence. The location of such central transfer station shall be in some suitable place to be agreed upon between the city of Providence and said Union Railroad Company and furnished by said city as herein provided.

Transfer cars to be run over all routes within city limits.

Upon the completion of said central transfer station the said railroad company shall thereafter and until the first day of July, A. D. 1912, run cars through the same at frequent intervals, of not exceeding twenty minutes in any case, between the hours of six A. M., and twelve P. M., over all routes as now or hereafter established and operated by it that do not extend beyond the present limits of said city, and cars running to said limits over all other routes, and shall allow any passenger within such central station one free transfer from any of such cars to any other of such cars moving in any direction. The purpose of this provision being to allow a passenger to go by means of such one free transfer from any one point within the present limits of the city of Providence, reached by any of the tracks owned or used by said Union Railroad Company, to any other one point reached by said tracks within said limits, upon the payment of a single fare of five cents: *provided, however,* that the provisions hereof in regard to frequency of service shall not apply in case of delays or interruption of travel arising from unusual circumstances or causes beyond the control of the company.

Free transfers.

Minor transfer stations may be erected in streets and public places.

The Union Railroad Company shall allow passengers who have not already been once transferred, one free transfer within any such minor station that may be erected, to and from such cars as do not run beyond the present city limits, as shall pass by or through such station. Said Union Railroad Company is hereby authorized to build, maintain, and use such transfer station or stations, in such location or locations in the streets, highways, or public places of said city, or over the waters therein, as may be agreed upon, in accordance with the provisions of this section, between it and the said city.



The Union Railroad Company and the Providence Cable Tramway Company, whose lines are operated by it, are and shall be relieved and discharged for a period of five years, after the system of free transfers herein provided for shall be established and go into effect within the central transfer station herein provided for, from all obligation to pave or repave from time to time any part of the streets, highways, or public places in the city of Providence in which any tracks owned or operated by said Union Railroad Company or said Providence Cable Tramway Company are or may be located during said term: *provided, however,* that the above exemption from the obligation to pave and repave shall not be held to relieve said railroad companies from the duty to replace in good order any portion of the roadway or pavement of any street that has been removed or displaced by said company for the purpose of laying new tracks, or for the renewal or repair of those now or hereafter laid in any street, highway, or public place in said city.

The Union Railroad Company shall erect the central station and establish the system of free transfers therein herein provided for, within six months (weather permitting), after the city of Providence shall furnish it free of all rentals and charges, a suitable location for such central station and shall grant permission to said railroad company to lay such additional tracks in such manner and in such streets or other places as shall be necessary to make proper and convenient connections with said station; and it shall from time to time erect such other minor stations and establish said system of free transfers therein within a reasonable time, not exceeding three months after the city of Providence shall from time to time have agreed with said Union Railroad Company upon the locations thereof, and shall have furnished it such locations as hereinbefore provided, free of rentals and charges: *provided,* that the furnishing of the location for the central or other station by the city of Providence shall not be construed to vest any title in fee in said railroad company, or prevent an agreement for the payment of a nominal annual consideration by the railroad company to the city.

Company is to be relieved for five years from paving or repaving streets after establishment of transfer system.

Transfer system to be established within six months after City shall furnish location for central station

Similar system may be provided in other cities and towns.

Similar transfer stations may be established and erected for the purpose of providing a similar system of free transfers of passengers within the limits of any city or town, other than the city of Providence, whenever from time to time any such city or town and street railway company operating lines therein shall agree upon the location, erection, terms, conditions, and use of such station and system.

Rate of fare fixed at five cents until 1912.

SEC. 2. That hereafter, and until the first day of June, A. D. 1912, the fare to be charged and collected by the Union Railroad Company is hereby fixed at five cents for a continuous, uninterrupted ride for one person on any car on any of the street railway routes owned or operated by it as now or hereafter established by it within the present limits of each or any city or town in which said railroad company is or may be authorized to transport passengers. The payment of the fare herein mentioned shall entitle the passenger to one free transfer within any transfer station established under section one of this act in accordance with the provisions thereof: *provided*, that nothing in this act shall be construed to authorize the said Union Railroad Company to increase the rate of fare now charged by said company, on any of the routes as now established or operated by it, or to release the said company from any obligation it may have incurred by, or to allow it to increase the rates of fare fixed in, the several contracts heretofore entered into between said Union Railroad Company and any town under the provisions of Chapter 975 of the Public Laws.

Rate of fare not to be increased.

See p. 178.

Provisions of law relating to acts of incorporation waived.

SEC. 3. Until July 1, A. D. 1912, this act, and so much of the act to which it is in addition as is not modified hereby, shall be and remain without change in full force and effect between the State of Rhode Island and said Union Railroad Company; and the provisions of general statute law relating to the amendment or repeal of acts of incorporation at the will of the General Assembly, shall not apply thereto. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed; and this act shall take effect immediately from and after its passage, whenever said Union Railroad Company shall accept in writing the terms and

This act to go into effect upon filing of acceptance by Railroad Company.

provisions thereof, and shall file its acceptance in the office of the secretary of state.

## AN ACT PROVIDING FOR A TAX ON STREET RAILWAYS.

## Chapter 580

of June 15, 1898.

### SECTION

1. Street railway companies to pay to state a tax upon their earnings; existing requirements to pay special taxes to cities continued.
2. Companies accepting this act to enjoy certain rights, privileges, and franchises.
3. City Council may revoke location and right to use any portion of a street, when; removal of tracks in conformity with revocation; in case of revocation company shall be granted a right in another street.

### SECTION

4. Increase of capital stock subject to the approval of the railroad commissioner.
5. Tax to be paid, how to be computed.
6. Tax not required to be paid by a company, when.
7. Provisions of this act to apply to street railway companies, when; free transfer act in Providence unaffected; acceptances, when to be filed.

*It is enacted by the General Assembly as follows :*

SECTION 1. For the purpose of providing additional revenue for the state, every street railway company incorporated under the laws of this state, accepting the provisions of this act, shall annually, hereafter, on or before October first, pay to the state a tax upon its earnings as follows, viz. : If the annual dividend paid by such company during the year ending on the thirtieth day of June next preceding the date of the return made according to law to the railroad commissioner for such year, is eight per centum on its capital stock actually outstanding during such year, or less, or if no dividend is paid by it, the tax payable by it for that year shall be a sum equal to one per centum of its gross earnings for that year, and if such dividend exceed eight per centum, then the tax payable by it for that year shall be a sum equal to the excess of such dividend over eight per centum, but in no event shall said tax be less than a sum equal to one per centum of such gross earnings, which shall be paid without regard to the net earnings of such company: *provided, however,* that nothing in this act contained shall deprive any city or town of the right to collect from any street railway company any tax or other payment (including payments now required for the paving and repaving of certain portions

Street railway companies to pay to state a tax upon their earnings.

Existing requirements to pay special taxes to cities continued.

of the streets and highways), which such company is now under legal obligation to pay by virtue of any law of this state, or of any contract or agreement with the state, or with any city or town or otherwise; nor shall anything in this act contained deprive any street railway company of any right, privilege, or franchise which it now enjoys, but the payments to be made under the provisions of this act shall in all cases be in addition to any and all special taxes and sums which said company is now under such legal obligation to pay, and in addition to the taxes now or hereafter assessed by any city or town upon the land and buildings of any such company; and the payments in this act provided for shall be in lieu and satisfaction of all other taxes, excises, burthens, or impositions whatsoever, by or under authority of this state, or of any law thereof, upon the property, income, rights, privileges, or franchises of such companies mentioned in this section, their successors and assigns, as shall accept the provisions of this act, excepting such as are now imposed upon such property, incomes, rights, privileges, or franchises, and such as may hereafter be imposed generally and without discrimination upon the property, income, rights, privileges, or franchises of all persons and corporations.

Companies accepting this act to enjoy certain rights, privileges and franchises.

SEC. 2. Every street railway company, its successors and assigns, now or hereafter incorporated under the laws of this state, operating street railways in any city or town in this state, which shall accept the provisions of this act, in manner hereinafter specified, and that shall agree to the division of profits and make the payments herein provided, shall have and enjoy, with respect to all lines leased, owned, or operated by it during the continuance of such payments, and in consideration thereof, all the rights, privileges, and franchises which it has at the time of such acceptance or which may thereafter be granted to it to construct, maintain, use, and operate street railways with the cars, and all appurtenances of such railways in the manner and by the method in use by it at the time of such acceptance, or by such improved methods as it may be authorized by the general assembly to adopt, and as it may employ from time to

time, upon, over, and under all the streets, avenues, highways, and public places in the cities and towns in which the tracks of said company may at the time of such acceptance be actually located, or in which they may thereafter be lawfully located, subject only to the right of revocation hereinafter provided for: *provided, however,* that every street railway company accepting the provisions of this act shall, so long as it continues to enjoy the rights, privileges, and franchises aforesaid, continue to pay to the several cities and towns, notwithstanding the expiration of any existing contracts or agreements, such sums as are now or may be required thereunder until new contracts or agreements shall be made, and such sums, not less, however, than those paid at the expiration of such existing contracts or agreements, as may thereafter be agreed upon from time to time, and failure for ninety days on the part of any such street railway company to make any payment required by this act shall cause a forfeiture of all rights, privileges, and franchises conferred and granted thereby.

SEC. 3. The city council of any city or the town council of any town may, after fourteen days' written notice to all parties interested of the time and place at which they will consider such matter, and after hearing all parties, if the public necessity and convenience in the use of any portion of a street require it, for good and sufficient reasons, to be stated in the order therefor, order that the location and the right to maintain, continue, and use tracks, with poles, wires, and other appurtenances in such portion shall be revoked; and such revocation of such location and right shall take effect when approved by the railroad commissioner, after public notice and hearing. Upon revocation, as aforesaid, the company shall remove the tracks in conformity with the order of revocation, and shall put the portion of the surface of the streets disturbed by such removal in as good condition and with the same material as the adjacent surface of said streets. If the company neglects to execute such order, after thirty days' notice thereof, the city council of such city, or the town council of such town, may cause the same to be executed and the work done at the expense of the company,

City councils may revoke location and right to use any portion of street, when.

Removal of tracks in conformity with the revocation.



In case of revocation, company shall be granted a right in another street.

to be recovered in an action of the case: *provided, however*, that in each such case of revocation such city or town council shall in and by such order grant to such company interested a right in another street or highway in such city or town, as nearly similar in public convenience as possible, to construct, maintain, use, and operate its railroad and the appurtenances thereof; *and provided further*, that no such location or right of any company accepting the provisions of this act shall hereafter be revoked by any city or town council, except under and in accordance with the provisions of this act; *and provided further*, that any city or town council, or any company aggrieved thereby, may appeal from any decision of any such railroad commissioner upon any such order, within thirty days after the rendering of such decision, to the justices of the supreme court assigned to the appellate division thereof, and such justices, or a majority of them, shall thereupon hear and finally determine all matters of law and fact involved in said appeal, including the question of public necessity and convenience, and the propriety of the order or decree made by such city or town council, and may annul, modify, or amend, any such order or decree, and take such other action in the premises as law and justice may require.

Increase of capital stock shall be subject to the approval of the railroad commissioner.

SEC. 4. The several street railway companies in this state accepting the provisions of this act may hereafter increase their capital stock from time to time to meet the costs and expenditures actually made for extensions and for new construction and equipment, and the cost of such extensions or improvements shall be certified by the railroad commissioner, and all issues of capital stock for such purpose shall be subject to the approval of such officer.

Tax to be paid, how to be computed.

SEC. 5. If the street railway line operated by any company which accepts the provisions of this act extends beyond the limits of this state, the payments to be made by such company under the provisions of this act shall be computed only upon the gross earnings of such company upon its lines within the limits of this state; and in case the dividends of such company for any year ending on the thirtieth day of June next preceding the date upon which such tax is due



and payable exceed eight per centum on its capital stock actually outstanding in such year, the further sum, if any, to be paid by such corporation, in addition a sum equal to one per centum on its gross receipts from the operation of its lines within the state for such year, shall be the sum required to make its payments, under the provisions of this act, equal to an amount which shall bear the same ratio to its whole dividends in excess of eight per centum for such year as its gross earnings from its lines in this state bear to its whole gross earnings for such year. And for the purposes of this act the gross earnings of any such corporation from its lines within this state for any year shall be deemed and taken to be that proportion of its total gross earnings for such year which the length of tracks operated by it in this state, exclusive of sidings and turnouts, bears to the total length of tracks, exclusive of sidings and turnouts, operated by such company during such year.

SEC. 6. No street railway company which accepts the provisions of this act shall be required to pay the sums herein provided for during any period when its lines are operated under a lease or otherwise by another company which accepts this act and pays the tax herein imposed.

Tax not required to be paid by a company, when.

SEC. 7. This act shall take effect from and after its passage, but its provisions shall not apply to any street railway company until such provisions shall have been accepted and assented to in writing by such street railway company, and the payments provided for in this act to be made by any such street railway company shall not commence until a written assent is delivered by such railroad company to the state of Rhode Island, and the secretary of state is hereby authorized and directed to accept the same in the name and on behalf of the state of Rhode Island, and under its seal, and to sign, seal, and execute such acceptance in duplicate, and to deliver one of said duplicates to every such assenting street railway company immediately upon the assent of such company, and the other of said duplicates to the general treasurer, and thereupon the provisions of this act shall be binding and in full force between the state and such assenting company, and shall not be altered or amended

Provisions of this act to apply to street railway companies, when.

without the consent of both parties, and all acts and parts of acts, ordinances, votes, and assents inconsistent herewith are hereby annulled and repealed: *provided, however,* that nothing herein contained shall affect any of the provisions of the act entitled "An act to provide a system of free transfers in the city of Providence," passed by the general assembly at its January session, A. D. 1896; *and provided further,* that existing street railway companies accepting the provisions of this act shall do so on or before October 1, 1898.

Free transfer act in Providence unaffected.

Acceptances, when to be filed.

**Chapter 737**

of April 20, 1900.

AN ACT CONCERNING CERTAIN STREET RAILWAY COMPANIES, AND IN ADDITION TO CHAPTER 580 OF THE PUBLIC LAWS, PASSED AT THE MAY SESSION, A. D. 1898.

SECTION

1. Increase of capital stock of certain railroad companies authorized; tax to be paid to state.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows:*

Increase of capital stock of certain street railway companies.

SECTION 1. The Union Railroad Company, the Pawtucket Street Railway Company and the Rhode Island Suburban Railway Company may hereafter increase their capital stock from time to time, in addition to the amounts now actually issued and outstanding, which are hereby severally approved and confirmed, to meet the costs and expenditures actually made for extensions and for new construction and equipment, without reference to the amounts heretofore limited in their charters; and the cost of such extensions and improvements shall be certified by the railroad commissioner, and all issues of capital stock for such purpose shall be subject to the approval of such officer: *provided, however,* that each of said companies shall, whenever it issues any additional capital stock as herein provided, pay to the general treasurer for the use of the state a tax of one-tenth of one per centum of the amount of such capital stock so issued at the time.

Tax to be paid to state.

Operative clause.

SEC. 2. This act shall take effect from and after its passage, and, as to any of said companies, whenever ac-

cepted by such company in accordance with section seven of Chapter 580 of the public laws, passed at the May session, A. D. 1898.

AN ACT CONCERNING THE NARRAGANSETT ELECTRIC LIGHTING COMPANY.

Act of 1892

May 19.

SECTION

1. Narragansett Electric Lighting Company may issue mortgage bonds for 20 years to the amount of \$1,000,000.
2. Exclusive franchise granted for 20 years from July 1, 1892, to distribute electricity for light, heat and power; street railroad, telegraph and telephone companies excepted; city council may make rules and regulations governing operation; poles and wires may be removed on 90 days' notice, but new locations to be provided; new system for distributing electricity to be introduced, when.
3. Existing obligations to city continued.
4. City may produce electricity on its own premises; City lighting plant, how established; question to be passed upon by city council and submitted to the voters qualified to vote for members of city council for ratification; City to buy plant of Electric Lighting Company in

SECTION

- case it is decided to establish a City lighting plant; price to be fixed by arbitration in case of failure to agree.
5. Company to make quarterly returns to city treasurer of its gross earnings; amount of special tax on gross earnings; rate to be fixed by arbitration in case of failure to agree.
6. New electric lights may be ordered; exclusive franchise to cease in case of failure to supply lights.
7. Rates of service not to be increased.
8. Rate to be charged the city for electric lights, how determined; price to be fixed by arbitration in case of failure to agree.
9. Dividends shall not exceed an average rate of eight per centum; surplus to be applied to a reduction of the cost of service.
10. Provisions for the selection of arbitrators.
11. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The Narragansett Electric Lighting Company is hereby authorized and empowered to issue from time to time its first mortgage bonds, bearing interest payable in gold coin of the United States of the present standard weight and fineness, twenty years after date, to an amount not exceeding one million dollars, and to execute and deliver to a trustee or trustees a first mortgage of all its property, real, personal and mixed, including any stock in any other corporation held by it, and all its powers, rights, privileges and franchises which it may have, or in any way be entitled to at any time, or which it may hereafter acquire anywhere to erect, construct, maintain, use

Narragansett Electric Lighting Co. may issue mortgage bonds to amount of \$1,000,000.

and operate poles, wires, conductors and other structures, systems or methods, appliances or appurtenances for the transmission of electricity, and for use in the business of producing, selling and distributing currents of electricity to be used for light, heat, power or other purposes, to secure the payment of said bonds; such mortgage to contain such powers of sale and provisions for a sinking fund as said Narragansett Electric Lighting Company may provide.

Exclusive franchise granted for twenty years from July 1, 1892.

SEC. 2. The Narragansett Electric Lighting Company, and any party claiming title from it under said mortgage hereinbefore authorized, in addition to all the powers, rights, privileges and franchises which said Narragansett Electric Lighting Company now has or is in any way entitled to anywhere, shall, for a period of twenty years from and after July first, 1892, have in the city of Providence the exclusive right, to keep, maintain in good order and repair, use and operate, in any manner in which it may now lawfully do or may hereafter be authorized to do during said period, poles, wires, conductors and other structures, systems or methods, appliances and appurtenances, for use in the business of producing, selling and distributing currents of electricity to be used for light and power, in the same streets and highways in which said company now maintains poles and wires; and also in any other streets and highways in which it shall hereafter, during said period, be authorized by said city to erect and maintain such poles, wires, conductors and other structures, systems or methods, appliances and appurtenances: *provided, however*, that nothing in this act shall in any way be held or construed to prevent in said city at any time any street railroad company, telephone company, telegraph company or party authorized, or who may be hereafter authorized by the city of Providence, to do a street railroad, telephone or telegraph business therein, from having and exercising the right to keep, maintain in good order and repair, use and operate in any manner in which such company or party may lawfully do at said date, or thereafter be authorized to do during said period, the

Street railroad, telephone and telegraph companies excepted.

poles, wires, conductors, and other structures, systems, methods, appliances and appurtenances of such company or party, for use in producing and distributing currents of electricity to be used for light, heat, power, and other purposes, in carrying on the street railroad, telephone, or telegraph business of such company or party, in any manner in which they may be authorized, in any streets or highways, whether the same shall be occupied by said Narragansett Electric Lighting Company or not, or to prevent said city of Providence from erecting, maintaining, and operating any poles, wires, and other appliances, necessary for its police signal and fire alarm and other public uses and services, in accordance with the provisions of section four hereof: *and provided further*, that the City Council of said city may from time to time impose such reasonable rules and regulations as to the erection, construction, location, relocation, removal, use, and operation of said poles, wires, conductors, and other structures, systems or methods, appliances and appurtenances, in any street, highway, conduit, subway, or other system within said city, as the public good may require; *and provided further*, that said City Council may at any time when the public good requires that such poles, wires, conductors, and other structures, systems or methods, appliances or appurtenances, shall be removed from any street or highway, require said Narragansett Electric Lighting Company, or party claiming under it, to remove such poles, wires, conductors, and other structures, systems or methods, appliances and appurtenances, from such street or highway upon ninety days' written notice. And forthwith, upon the removal thereof, said City Council shall grant to said company or party, a right, as nearly similar in public convenience as possible, to construct, maintain, use, and operate such poles, wires, conductors, and other structures, systems or methods, appliances and appurtenances, in some other street or highway of such city; *and provided further*, that if at any time any system for distributing electricity of equal practical and commercial value to the system now in use in the city of Providence shall be invented and perfected, said Narragansett Electric Lighting Company, or any party claim-

City Council may make rules and regulations governing operation.

Poles and wires may be removed on 90 days' notice, but new locations to be provided.

New system for distributing electricity to be introduced, when.



ing title under it, as soon as may be after the commercial and practical utility of such system have been demonstrated, shall, when so authorized by the City Council, introduce and apply said system into the city of Providence, and thereupon remove from the public streets and highways of said city all poles, wires, and other structures and appurtenances, rendered unnecessary by the introduction of such new system; and if said company, or party, shall refuse or neglect to adopt and apply such new system for one year after receiving notice in writing from said city of Providence so to do, the exclusive rights granted by this act shall thereupon cease and determine.

Existing obligations to City continued.

SEC. 3. Nothing in this act contained shall be construed in any way to relieve the Narragansett Electric Lighting Company, or any party claiming title under it, from any obligation, or from paying any tax or money which it may now or hereafter be under legal obligation to said city to perform or pay.

City may produce electricity on its own premises for light, heat, and power.

SEC. 4. Nothing in this act contained shall in any manner be construed or held to preclude, prevent, or hinder the said city of Providence from producing and distributing currents of electricity for light, heat, power, or any other purposes, under any systems or methods whatsoever, for its own use and upon its own premises in whatever manner or direction; and nothing in this act shall be construed to preclude, prevent, or hinder the said city of Providence from erecting and maintaining poles, wires, conductors, apparatus, or structures of any name or nature which said city may see fit to, in or near the streets of said city of Providence, or in any place in said city or in the vicinity thereof, in order that said city may utilize to the best advantage for its own purposes, and for its own use any currents of electricity which may be produced by said city as aforesaid: *provided, however*, that said city shall not exercise the right to produce or distribute electricity for lighting its streets and highways (excepting roads and driveways in its public parks) until a vote that it is expedient so to do shall have passed each branch of its City Council by a majority vote of all the members elected, and received the approval of the mayor, and thereafter have

City lighting plant, how established.

Question to be passed upon by City Council and submitted to the voters qualified to vote for members of City Council for ratification.



been ratified by a majority of the voters qualified to elect members of the City Council of said city, present and voting thereon at the annual municipal election which shall be held next after the expiration of four months from the date of the mayor's approval; and when such a vote has failed to secure ratification, no similar vote shall be submitted for ratification until after the expiration of three years. And in case of the passage, approval, and ratification of such vote the amount of the annual tax, if any, to be paid by the Narragansett Electric Lighting Company as the tax upon its gross earnings hereinafter provided for, shall be fixed by arbitration as provided in section ten hereof. But this section shall not be construed so as in any manner to annul or affect any contract existing between said city and said company at the date of the ratification of said vote at the municipal election. And if said city shall decide, as in this section provided, to light its streets and highways, it shall buy such of the poles, wires, structures, mast arms, and other appurtenances of said Narragansett Electric Lighting Company, or party claiming under it, in said streets and highways, and such other property of said company as shall then be in use solely for the lighting of said streets and highways; and shall pay to said company therefor the fair value thereof for the purposes for which the same are in use, such value, unless agreed upon within sixty days after the ratification of such vote, to be fixed by arbitration, as provided in section ten hereof.

City to buy plant of Electric Lighting Co. in case it is decided to establish a City lighting plant.

Price to be fixed by arbitration in case of failure to agree.

SEC. 5. The Narragansett Electric Lighting Company, or any corporation or party claiming title under it, shall make and render to the treasurer of the city of Providence, on or before the thirtieth day of January, April, July and October, in every year, returns verified by the oath of such party, or, if a corporation, by the oath of its president, treasurer, or secretary, of the gross earnings of such corporation, or party, within said city of Providence for a period of three months next preceding the first day of January, April, July and October, in each year, and shall, at the same time, pay to said city treasurer, in full payment for the rights and privileges in and to the streets and highways of said city herein-

Company to make quarterly returns to city treasurer of its gross earnings.

Amount of special tax on gross earnings.

Rate to be fixed by arbitration in case of failure to agree.

New electric lights may be ordered.

Exclusive franchise to cease in case of failure to supply the lights.

Rates for services not to be increased.

before granted, a special tax equal to three per centum of the gross earnings of said corporation, or party, within said city, for a period of ten years next succeeding the first day of July, A. D. 1892, and thereafter at a rate of not less than three per centum nor more than five per centum for each succeeding period of five years, during the period of such exclusive right, the rate to be fixed by agreement of the parties, if possible, within three months prior to the expiration of each of said periods; otherwise by arbitration as provided in section ten hereof. And in case said corporation or party shall neglect to pay such quarterly tax as aforesaid, said city treasurer may collect and recover of said corporation or party, as other taxes are collectible, double the amount of the special tax shown to be due by the last preceding quarterly return of said corporation or party.

SEC. 6. Whenever in the opinion of the City Council of the city of Providence the public good requires that electric lights, or poles, wires, conductors and other structures, systems or methods, appliances and appurtenances, for the transmission of electricity for use in the business of producing, selling and distributing electricity to be used for light, heat, power and other purposes, shall be furnished or constructed in said city in addition to those then furnished or operated by said Narragansett Electric Lighting Company, or any party claiming title under it, said City Council may, at any time and from to time during the existence of said twenty years' franchise, order said Narragansett Electric Lighting Company, or party claiming under it, to construct, maintain and operate such lights, poles, wires, conductors and other structures, systems or methods, appliances and appurtenances, within said city, within six months after the passage of said order, and upon failure on the part of said Narragansett Electric Lighting Company, or party claiming title under it, to comply with such order within said time, the exclusive rights granted by this act shall thereupon cease and determine.

SEC. 7. Said Narragansett Electric Lighting Company shall not, nor shall any party claiming title under it, at any time during the continuance of the exclusive right or privi-

leges granted under this act, charge for its services within said city any greater rates than the rates actually charged by said company at the time of the passage of this act for such or equivalent service, both rates being reckoned in United States gold coin of the standard weight and fineness in force at the time of the passage hereof, or in the equivalent thereof in actual value in other lawful money of the United States.

SEC. 8. From and after the expiration of the present contract between the city of Providence and said Narragansett Electric Lighting Company, and until the expiration of said twenty years' franchise, the rate to be charged to said city for electric lights by said company, or any party claiming under it, shall be determined as follows, viz.: The said company, or party, and the City Council of the city of Providence, shall agree, if possible, at least three months before the expiration of the present contract between said city and said company, upon the rate to be paid said company, or party, by said city for said lights during the succeeding period of three years; and thereafter, and until the expiration of said twenty years' exclusive franchise, said City Council and said company, or party, shall, at least three months before the commencement of each succeeding period of three years, agree, if possible, upon the rate to be paid by said city to said company, or party, for said lights during such period of three years; and in case said City Council and said company, or party, shall fail to agree upon a rate to be paid by said city to said company, or party, for any of the periods above mentioned within two months prior to the commencement of such period, the rate for such period shall be determined by arbitration as provided in section ten hereof.

Rate to be charged city for electric lights, how determined.

Price to be fixed by arbitration in case of failure to agree.

SEC. 9. From and after the passage of this act, and until the expiration of the rights and privileges granted hereby, the said Narragansett Electric Lighting Company, or party claiming under it, shall not pay a greater average rate of dividend than eight per centum per annum, based upon the amount of its capital stock now issued and outstanding, and such additional capital stock as shall hereafter be actu-

Dividends shall not exceed an average rate of 8 per centum per annum.

Surplus to be applied to the reduction of the cost of service.

ally subscribed for in cash at not less than the par value of the stock, and any and all net earnings over and above said dividend of eight per centum per annum and a cash surplus not exceeding ten per centum of the then issued and outstanding capital stock, shall be applied to the reduction of the cost of its services to the city and its citizens. And all extensions of its plant shall be paid for out of capital actually paid in, or out of money borrowed as authorized by section one hereof, and not out of earnings.

Provisions for the selection of arbitrators.

SEC. 10. Whenever it is provided in this act that any question or matter shall be decided or adjusted by arbitration, such arbitration shall be conducted in the following manner, viz. : Three disinterested persons shall be chosen as arbitrators, one by the City Council of the city of Providence in joint convention, one by said corporation or party claiming title under it, and the third by the two so chosen. The determination of said arbitrators, or of a majority of them, shall be made within thirty days of the time of their appointment, and shall be final and binding and conclusive upon said city and upon said corporation or party. In case said City Council, or said corporation or party, shall not appoint an arbitrator within thirty days after the expiration of the time within which, under any provision of this act, said city and said corporation or party are to attempt to agree upon any question or matter, the other party may appoint the first two arbitrators, and in case the two persons first appointed shall not appoint a third, as herein provided, either the city of Providence or said corporation or party may, after ten days' notice to the other party, apply to the supreme court, or any justice thereof, to appoint such third arbitrator. And in case of the death, resignation, neglect, or inability to serve of either of said arbitrators, said court, or any justice thereof, shall forthwith, upon the application of either party, appoint another arbitrator in his place and stead. The costs of any arbitration shall be shared equally by the parties thereto.

Operative clause.

SEC. 11. All acts and parts of acts, and all rules, regulations, terms, conditions, and ordinances of any town council or city council, and all acceptances thereof and

assents thereto of said Narragansett Electric Lighting Company, or of any companies consolidated into or with it, inconsistent herewith, are hereby repealed and annulled, and all cities and towns holding any such acceptances or assents, are hereby required by their proper officers to forthwith cancel and discharge the same; and this act shall take effect from and after its passage.

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AN ACT CONCERNING FERRY-BOATS IN THE HARBOR  
OF PROVIDENCE.

**Act of 1843**

February 4.

Mayor and aldermen may establish and regulate ferries in the harbor.

*Be it enacted by the General Assembly as follows :*

SECTION 1. The mayor and aldermen of the city of Providence shall have, from and after the passage of this act, full power and authority to establish ferries and to regulate the running of boats for the transportation of passengers for hire, in any part of the harbor of Providence ; \* \* \* and to affix penalties for the violation of any regulations established by them under the authority hereof, not exceeding five dollars for one offence ; which penalties shall be recovered in the same way as penalties for the violation of ordinances of said city now are : *provided*, that said mayor and aldermen shall not fix the rate of ferriage in the daytime above two cents for each passenger.

Ferries and ferry-boats in the harbor.

Act of Jan. 18, 1848.

Penalties.

## HARBOR.

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### Digest of 1822 AN ACT RELATIVE TO THE HARBOR AND PUBLIC WATERS OF THE TOWN OF PROVIDENCE.

page 484.

SECTION

1. Town may make laws to prevent encroachment on harbor, or public waters.
2. Boundaries of harbor established.

SECTION

3. Penalty for encroaching on the harbor.
4. Penalty for violating regulations relating to harbor.

Prevention of encroachment on harbor or public waters.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted,* That the town of Providence be and the said town hereby is authorized and empowered to prevent encroachments or obstructions in the harbor of said town, in the cove above the bridge, and in the other public waters thereof; and to make such laws, rules and regulations for the preservation of said harbor, cove and waters, from encroachments and obstructions as said town shall think proper from time to time to make and enact.

Boundaries of harbor established.

SEC. 2. *And be it further enacted,* That the proceedings of said town, on the thirteenth and twenty-fourth days of July, and the twenty-ninth day of August, A. D. 1815, relative to the defining and ascertaining the bounds of said harbor, be approved and established, and the boundaries and lines mentioned and described in the report of the committee be and the same are hereby established, except only that the course from a stake at Simmons' wharf to the bluff near the southeast corner of John Corlis' farm, stated to be, in said report, south fifteen and a half degrees east, be corrected, according to the plat made by said committee, to the course of south nine and a half degrees east.



SEC. 3. *And be it further enacted,* That if any person or persons shall encroach upon any part of the said harbor, as defined, ascertained and established in and by the next preceding section of this act, by erecting or placing therein any wharf, building or other fixed obstruction, or neglecting to keep in good repair any wharf or lot adjoining the harbor, for the preservation of the channel, he, she or they so offending shall forfeit and pay a sum not less than fifty nor more than five hundred dollars, to be recovered by action of debt before any court proper to try the same, one half thereof to and for the use of said town of Providence and the other half thereof to and for the use of the person or persons who shall sue for the same; and it shall moreover be lawful for the town council of said town to cause such obstruction to be removed at the cost and charge of him, her or them, who shall have so erected or placed the same, or caused the same to be so erected or placed, as aforesaid.

Penalty for encroachment.

Obstructions may be removed.

SEC. 4. *And be it further enacted,* That if any person or persons shall violate any of the laws, rules or regulations that may be at any time made by said town of Providence, for the preservation of the channel, and for the prevention of any encroachments or obstructions in the harbor of said town, or the cove above the bridge, or in the other public waters thereof, other than of the kind mentioned and described in the next preceding section of this act, he, she or they shall forfeit and pay a sum not less than two nor more than twenty dollars for each offence, to be recovered by action of debt before any justice or justices of the peace of the said town, one half thereof to and for the use of said town and the other half thereof to and for the use of the person or persons who shall sue for the same.

Penalty for violation of regulations.

## Act of 1837

January 21.

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT  
RELATIVE TO THE HARBOR AND PUBLIC WATERS  
OF THE TOWN OF PROVIDENCE."

## SECTION

1. Land covered with water at ordinary tides not to be filled unless protected by a permanent wall, if

## SECTION

- such wall be required by the board of aldermen.
2. Penalty for non-compliance.

*Be it enacted by the General Assembly as follows :*

Land covered by tide water at ordinary tides not to be filled out unless protected by a permanent wall, if it be required by board of aldermen.

SECTION 1. No person or persons, corporation or corporations, shall fill out, or cause or procure to be filled out, with any material whatever, any flat, shoal or piece of land covered with tide waters at ordinary tides, within the limits of the city of Providence, unless he, she or they shall, before the commencement of or proceeding upon such work, build, erect or place, or cause to be built, erected or placed, upon the outer line of the flat, shoal or piece of land intended by him, her or them to be filled out, and also upon so much of the lines, on both sides thereof as may adjoin any flat, shoal or piece of land covered with tide waters as aforesaid, a good, permanent stone wall of proper depth, width, height and compactness, and well and sufficiently secured, to prevent the mud or any other material within said lines from being washed or pressed outward into or towards any part of the harbor of said city, of the cove above the bridge, or of any other public waters thereof: *provided*, the board of aldermen of said city shall require said wall or walls to be built; and said work shall be done and finished in such manner, and composed of such materials, as the board of aldermen of the city shall direct and approve.

Penalty for non-compliance.

SEC. 2. If any person or persons, corporation or corporations, shall violate the preceding section of this act, or shall neglect to keep in good repair any such wall as shall have been built, erected or placed as aforesaid, he, she or they so offending shall forfeit and pay to and for the use of said city of Providence a sum not less than five hundred nor more than ten thousand dollars, to be recovered by action of the case, in the name of the city treasurer of said city, before any court proper to try the same.

AN ACT IN ADDITION TO "AN ACT RELATIVE TO THE  
HARBOR AND PUBLIC WATERS OF THE TOWN OF  
PROVIDENCE."

**Act of 1841**

October 27.

SECTION

1. Buildings over the public waters  
above Weybosset bridge.

SECTION

2. Powers of board of aldermen.  
3. Repair of streets.

*Be it enacted by the General Assembly as follows :*

SECTION 1. If any person shall erect or build, or cause to be erected or built, any wharf or buildings upon any part of the cove or other public waters above Weybosset bridge, in the city of Providence, outside of the present high-water mark, or shall place or cause to be placed in said cove or other public waters, any other obstruction of any kind whatsoever, without permission first granted by the board of aldermen of said city, the person or persons so offending shall forfeit and pay a sum of money not less than fifty dollars nor more than one thousand dollars; which penalty may be sued for and recovered before any court of competent jurisdiction, by indictment, or by an action of debt, one-half thereof to and for the use of him who shall inform or sue for the same and the other half to and for the use of the state; and in addition to said penalty, the said board of aldermen, or the court before whom such indictment shall be preferred, are hereby empowered to cause such obstruction to be removed at the cost of the person or persons who shall have erected or placed the same, or who shall have caused the same to be erected or placed.

Buildings over the public waters above Weybosset bridge.

Penalty.

Obstruction may be removed

SEC. 2. The board of aldermen of said city are hereby authorized and empowered to mark out and direct, or permit to be built or erected, any wharves, streets, causeways, or bridges around, across or through said cove or other public waters above Weybosset bridge, that they may think the public good shall require: *provided*, that nothing herein contained shall authorize the taking of land above high-water mark for such streets, excepting in manner as is by law provided.

Powers of board of aldermen.

Repair of streets.

SEC. 3. The city of Providence shall not be required to keep in repair any street directed or permitted by said board of aldermen to be built, until the same shall be received and declared by said board of aldermen to be a public highway to be repaired at the expense of the city.

**Act of 1845**

May 9.

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT RELATIVE TO THE HARBOR AND PUBLIC WATERS OF THE TOWN OF PROVIDENCE."

## SECTION

1. City council may grant to railroad companies the right to build a depot over public waters.

## SECTION

2. Rights of the state in lands not appropriated, and of private property, protected.

*It is enacted by the General Assembly as follows :*

Railroad depot.

SECTION 1. The city council of the city of Providence are hereby authorized to grant, upon such terms and conditions as they may deem for the public good, to any railroad company whose railroad terminates in said city, the right and privilege of establishing a depot upon any part of the land covered by the public waters in said city above Weybosset bridge ; and of constructing such wharves, causeways, embankments, and bridges as may be necessary and proper to contain the buildings and accommodations required for such depot: *provided*, that the plans of all wharves, causeways, embankments, bridges, and buildings, proposed to be constructed for any such depot, shall be specially approved by the city council of said city before the same shall be constructed.

Rights protected.

SEC. 2. Nothing in this act shall be construed to surrender or impair any rights which belong to the state in that part of said land covered by the public waters which said city does not appropriate to the use of such railroad company ; nor to authorize the taking of private property for the use of any railroad company, excepting as is by law provided.

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT  
RELATIVE TO THE HARBOR AND PUBLIC WATERS  
OF THE TOWN OF PROVIDENCE."

Act of 1848

May 4.

SECTION

1. City council may grant to railroad companies the right to lay rails over public lands, waters, streets and wharves.
2. City council may regulate by ordinance the use of the same; and

SECTION

- may cause rails to be removed, if its orders relative thereto be not complied with.
3. Rights of the state, and of private property, protected.
4. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city council of the city of Providence are hereby authorized to grant, upon such terms and conditions as they may deem for the public good, to any railroad company whose railroad now doth or hereafter shall terminate in said city, the right and privilege of laying rails upon and over the public lands and waters, and over and along the public highways and wharves, in said city (not crossing the harbor nor obstructing the passing up and down the same), with suitable turn-outs and spur-tracks on the route; the whole to be located, constructed, and used in all respects as said city council, or as any authorized agent or officer appointed by said city council, shall from time to time direct or approve.

City council may grant to railroad companies a right to lay rails over the public lands, waters, streets and wharves.

SEC. 2. Said city council are hereby empowered to enact from time to time, ordinances for the proper and convenient use of the rails, public lands, waters, highways and wharves aforesaid, with penalties not exceeding those authorized by the first section of an act entitled "An act to incorporate the city of Providence," which penalties shall be enforced and collected as penalties for violation of ordinances of said city are or may be; and if any railroad company who shall be authorized under this act to lay rails shall, after notice served upon their president, treasurer or superintendent in said city, persist in using their rails in any way or manner contrary to any order which said city council or their authorized agent or officer shall make, said city council shall have authority to cause such rails to be removed.

City council may regulate use of the same.

City council may cause the rails to be removed.

Rights of state and of private property, protected.

SEC. 3. Nothing in this act shall be construed to surrender or impair any rights which belong to the state in any land covered by the above-mentioned public waters, which said city does not appropriate to the use of any railroad company, nor to authorize the taking or injuring of private property for the use of any railroad company, excepting as is by law provided.

Operative clause.

SEC. 4. This act shall go into effect immediately after the passage thereof.

## Act of 1859

March 11.

AN ACT TO AUTHORIZE THE CITY COUNCIL OF THE CITY OF PROVIDENCE TO PASS ORDINANCES RELATIVE TO THE POWERS AND DUTIES OF THE HARBOR MASTER OF THE PORT OF PROVIDENCE.

SECTION

1. City council may pass ordinances relative to duties and salary of harbor master.

SECTION

2. Act of June session 1833 repealed.  
3. Operative clause.

*It is enacted by the General Assembly as follows :*

Ordinances relative to duties and salary of the harbor master.

SECTION. 1. The city council of the city of Providence are hereby authorized to pass and ordain such by-laws and ordinances relative to the harbor master of the port of Providence, and the fees to be by him collected of the owners or captains of the several vessels arriving at or sailing from said port, and the manner of collecting and accounting for the same, and relative to the salary or compensation of such harbor master, as said city council may deem expedient: *provided*, such by-laws and ordinances are not repugnant to the laws of this state, or of the United States.

Act repealed.

SEC. 2. The act entitled "An act to authorize the town council of the town of Providence to appoint a harbor master," passed June, A. D. 1830, is hereby repealed.

Operative clause.

SEC. 3. This act shall take effect from and after its passage.



AN ACT ENTITLED AN ACT TO ALTER AND ESTABLISH  
A HARBOR LINE ON THE WEST SIDE OF THE RIVER  
IN THE CITY OF PROVIDENCE.

**Act of 1855**

March 3.

SECTION

1. Harbor line from Dorrance street to  
Sassafras Point.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city council of the city of Providence shall have power to alter and establish a harbor line on the west side of the river in said Providence, running from Dorrance street south to Sassafras Point.

Harbor line from  
Dorrance street to  
Sassafras Point.

SEC. 2. This act shall take effect immediately on its passage; and all acts and parts of acts inconsistent herewith are hereby repealed.

Operative clause.

AN ACT TO ESTABLISH A HARBOR LINE IN THE HAR-  
BOR IN THE CITY OF PROVIDENCE BETWEEN FOX  
POINT AND THE RAILROAD BRIDGE AT INDIA POINT.

**Chapter 557**

of January 31, 1865.

SECTION

1. Harbor line from Fox Point to India  
Point.  
2. City council to have powers of the  
general assembly to regulate the

SECTION

construction of wharves within said  
harbor line.  
3. Penalties. Obstructions outside of  
harbor line.

*It is enacted by the General Assembly as follows :*

SECTION 1. The straight lines in red ink connecting points A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S and T, on a plan showing the proposed harbor line from Fox Point to the railroad bridge at India Point, Providence, May 28, 1864, surveyed and platted by Cushing and DeWitt, and now recorded in the city clerk's office in the city of Providence, in book of plats number five, page forty-seven, are hereby established as the harbor lines in the harbor of said city of Providence between said Fox Point and said railroad bridge at India Point.

Harbor line from  
Fox Point to India  
Point.

SEC. 2. The city council of the city of Providence shall have all the power and authority now possessed by the gen-

City council has  
powers of the general  
assembly within har-  
bor line.

eral assembly to make provisions, terms and conditions in relation to filling the land and the building and extending of wharves to said harbor lines, in relation to the mode and manner of constructing said wharves, the material of which the same shall be composed, and the keeping of the same in repair, in relation to the laying out, building and extending of highways, streets, gangways and culverts thereto, and generally to make such provisions relative to the filling the land, the building and extending of wharves to said harbor lines, as it shall deem best for the public interest and convenience.

Penalties.

SEC. 3. If any person shall violate any of the provisions, terms and conditions prescribed by said city council by virtue of the power and authority given by this act, or shall erect or create any obstruction in said harbor beyond said harbor lines, he shall be fined not less than one hundred dollars nor more than ten thousand dollars, to be recovered by indictment before the supreme court, one half to and for the use of the city of Providence and the other half to and for the use of the state ; and the board of aldermen of said city of Providence shall be authorized, before or after conviction, to remove such obstructions at the expense of the person erecting or creating the same.

Obstructions outside of harbor line may be removed by board of aldermen. Compare Chap. 118, Sec. 12, of the General Laws.

**Chapter 476**  
of April 10, 1885.

AN ACT IN AMENDMENT OF "AN ACT TO ESTABLISH A HARBOR LINE IN THE HARBOR IN THE CITY OF PROVIDENCE, BETWEEN FOX POINT AND THE RAILROAD BRIDGE AT INDIA POINT," PASSED AT THE JANUARY SESSION, A. D. 1865.

SECTION

1. Harbor line from Fox Point to India Point, amended.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

Harbor line from Fox Point to India Point, amended

SECTION 1. The point G on a plan showing the harbor line from Fox Point to the railroad bridge at India Point, Providence, May 28, 1864, surveyed and platted by Cushing and DeWitt, and recorded in the city clerk's office in the city of Providence, in book of plats number five, page forty-seven, is hereby established on the boundary line be-

tween adjoining owners at a distance of two hundred and twelve feet, measuring on said boundary line, from the side line of India street; and the straight lines in red ink connecting point F with the point G in the location herein defined, and said point G with point H, shall be the harbor line between said points F and H.

SEC. 2. This act shall take effect from and after its passage.

Operative clause.

AN ACT IN AMENDMENT OF "AN ACT TO ESTABLISH A HARBOR LINE IN THE HARBOR IN THE CITY OF PROVIDENCE BETWEEN FOX POINT AND THE RAILROAD BRIDGE AT INDIA POINT," PASSED AT THE JANUARY SESSION, A. D. 1865.

## Chapter 914

of May 30, 1890.

## SECTION

1. Harbor line from Fox Point to India Point, amended.

## SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The harbor line defined on a plan showing the harbor line from Fox Point to the railroad bridge at India Point, Providence, May 28, 1864, surveyed and platted by Cushing and DeWitt, and recorded in the city clerk's office in the city of Providence, in book of plats number five, page forty-seven, is hereby altered for a part of the distance between the points marked L and N on said plat, and is hereby established as follows: Beginning at the point marked L on said plat, and thence deflecting southerly from the direction of the line L M at an angle of  $5^{\circ} 02' 26''$ , and running easterly a distance of 166.45 feet in a straight line to its intersection with the line M N on said plat at a point 44.69 feet easterly from the point M on said plat.

Harbor line from Fox Point to India Point, amended.

SEC. 2. This act shall take effect from and after its passage.

Operative clause.

**Chapter 1096**

of March 16, 1892.

AN ACT IN AMENDMENT OF CHAPTER 557 OF THE PUBLIC LAWS, PASSED JANUARY 31, 1865, ENTITLED "AN ACT TO ESTABLISH A HARBOR LINE IN THE HARBOR IN THE CITY OF PROVIDENCE, BETWEEN FOX POINT AND THE RAILROAD BRIDGE AT INDIA POINT," AND OF CHAPTER 476 OF THE PUBLIC LAWS, PASSED APRIL 10, 1885, AND OF CHAPTER 914 OF THE PUBLIC LAWS, PASSED MAY 30, 1890, BOTH IN AMENDMENT OF SAID CHAPTER 557.

## SECTION

1. Harbor line from Fox Point to India Point, amended.

## SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

Harbor line from Fox Point to India Point, amended.

SECTION 1. The harbor line defined on a plan showing the harbor line from Fox Point to the railroad bridge at India Point, Providence, May 28, 1864, surveyed and platted by Cushing and DeWitt, and recorded in the city clerk's office in the city of Providence, in book of plats number five, page forty-seven, is hereby altered for a part of the distance so as to conform to the following description, and is hereby established as follows, to wit: "Beginning at a point marked 'S' on the accompanying plan, which said point is in latitude north 8432.034 feet, longitude west 1642.231 feet, thence running northerly and easterly 737.77 feet to a point marked 'K,' which said point is in latitude north 8923.867 feet, longitude west 1092.313 feet, thence running northerly and easterly 217.54 feet to a point marked 'L,' which said point is in latitude north 9004.809 feet, longitude west 890.397 feet, thence northerly and easterly 166.45 feet to a point marked 'T,' which said point is in latitude north 9035.096 feet, longitude west 726.733 feet." In the above description the latitudes are given in feet and decimals, northerly from a line at right angles to the meridian of the U. S. Coast Survey Station at Fort Independence; and the longitudes are given in feet and decimals westerly from the meridian of the U. S. Coast Survey Station at Fort Independence. The

Description.

courses given are from lines parallel with said meridian of the U. S. Coast Survey Station at Fort Independence.

SEC. 2. This act shall take effect immediately on its passage.

Operative clause.

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AN ACT IN AMENDMENT OF AN ACT, ENTITLED "AN ACT TO ESTABLISH A HARBOR LINE IN THE HARBOR, IN THE CITY OF PROVIDENCE, BETWEEN FOX POINT AND THE RAILROAD BRIDGE AT INDIA POINT," PASSED JANUARY 31, 1865, AND OF THE SEVERAL ACTS IN AMENDMENT THEREOF OR IN ADDITION THERETO.

**Chapter 424**

of October 2, 1896.

SECTION

1. Harbor line from Fox Point to India Point, amended.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The harbor line defined on a plan showing the harbor line from Fox Point to the railroad bridge at India Point, Providence, May 28, 1864, surveyed and plated by Cushing and DeWitt, and recorded in the city clerk's office in the city of Providence, in book of plats number five, page forty-seven, and subsequently altered by Chapter 914 of the public laws, is hereby altered, defined and established as follows, to wit: Beginning at the point marked "K" on said plat and deflecting  $4^{\circ} 55' 20''$  southerly from the old line "K-L" on said plat, and running on a course N.  $73^{\circ} 4' 40''$  E. a distance of 382.15 feet to an intersection with the line between the points marked "M" and "N" on said plat, at a point 44.69 feet easterly from the point marked "M" on said plat.

Harbor line from Fox Point to India Point, amended.

Description.

SEC. 2. This act shall take effect from and after its passage.

Operative clause.

**Chapter 9971** AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO  
 of May 29, 1891. BORROW ONE HUNDRED AND FIFTY THOUSAND DOL-  
 LARS, FOR THE PURPOSE OF BUILDING A RETAINING  
 WALL FROM HILL'S WHARF TO SASSAFRAS POINT.

## SECTION

1. City may hire \$150,000 for retaining wall from Hill's wharf to Sassafras Point.

## SECTION

2. Sinking fund therefor.
3. Exclusive use of money.
4. Operative clause.

*It is enacted by the General Assembly as follows :*

Retaining wall from Hill's wharf to Sassafras Point.

SECTION 1. The city of Providence is authorized to borrow the sum of one hundred and fifty thousand dollars, and to issue its notes and bonds, or either, for the same, payable in gold coin of the United States, or in currency, for such time and in such amounts as the city council thereof shall determine.

Sinking fund.

SEC. 2. The city council of said city shall annually appropriate, until said notes and bonds are paid in full, besides a sufficient sum to pay the interest thereon, a sum to be placed in a sinking fund, sufficient for the redemption of said notes and bonds when due.

Exclusive use of money.

SEC. 3. All moneys raised by the provisions of this act shall be exclusively used and expended upon the construction or building of a retaining wall in Providence river, from Hill's wharf to Sassafras Point, in the city of Providence.

Operative clause.

SEC. 4. This act shall take effect on its passage.

**Chapter 689**

of May 26, 1899,

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO BORROW ONE HUNDRED AND FIFTY THOUSAND DOLLARS, FOR THE PURPOSE OF BUILDING A RETAINING WALL FROM HILL'S WHARF TO SASSAFRAS POINT," PASSED AT THE MAY SESSION, A. D. 1891.

## SECTION

1. City may borrow \$450,000.
2. Improvement of the harbor.

## SECTION

3. Operative clause.

*It is enacted by the General Assembly as follows :*

City of Providence authorized to issue \$450,000 of bonds.

SECTION 1. Section one of said act is hereby amended so as to read as follows :



“SECTION 1. The city of Providence is hereby authorized to borrow the sum of four hundred and fifty thousand dollars, and to issue its notes and bonds, or either, for the same, payable in gold coin of the United States or in currency, for such time and in such amounts as the city council shall determine.”

SEC. 2. Section three of said act is hereby amended so as to read as follows :

“SEC. 3. All moneys raised by the provisions of this act shall be exclusively used and expended for the general improvement of Providence harbor, including the purchase of land, the rights thereto appertaining, the construction of a retaining wall, the building of docks, as well as the necessary dredging and filling in therefor, in accordance with plans to be approved by the city council of said city of Providence.”

Proceeds of sale of bonds to be applied exclusively to the improvement of Providence harbor.

SEC. 3. This act shall take effect from and after its passage.

Operative clause.

AN ACT RELATIVE TO THE DORRANCE STREET WHARF, SO CALLED, IN THE CITY OF PROVIDENCE.

**Chapter 480**  
of Feb. 4, 1897.

SECTION

1. Dorrance street wharf.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The structure now existing at the end of the Dorrance street wharf in the city of Providence, and east of the harbor line established by public laws of Rhode Island, Chapter 771, of April 11, 1879, shall not be subject to removal under Section 14 of Chapter 118 of the General Laws of Rhode Island, so long as it does not need repair or rebuilding, but when rebuilt or repaired it shall be so changed as to lie westerly of the said harbor line, and be subject to all the laws regulating the construction of wharves.

Dorrance street wharf.

SEC. 2. This act shall take effect from and after its passage.

Operative clause.

**Act of 1855**

May Session.

**AN ACT IN RELATION TO PORT WARDENS IN THE CITY OF PROVIDENCE.**

## SECTION

1. City council to elect at least three port wardens ; to be engaged by the mayor.
2. Duties of port wardens to go on board any vessel and examine the condition and stowage of cargo ; if goods are damaged, shall examine and make a record of the same.
3. To examine any goods said to have been damaged on board of any vessel, and make record as aforesaid.

## SECTION

4. To keep a true record of all their acts, in a book which shall at all times be open to inspection.
5. To furnish certificates of record, signed by warden making survey ; such certificates to be received in evidence.
6. Fees of port wardens.
7. No survey on board vessel to be valid, unless made by a warden appointed under this act. Expense of survey to be paid by owner, master or consignee.
8. Inconsistent acts repealed.

*It is enacted by the General Assembly as follows :*

City council may elect port wardens.

SECTION 1. The city council of the city of Providence are hereby authorized to elect, annually, as many port wardens for said city as they may deem expedient, not less than three, who shall hold their offices for one year or until others are elected in their places. The said port warden or port wardens shall be sworn or affirmed by the mayor of said city to the faithful discharge of their duties.

Duties of.

SEC. 2. It shall be the duty of said port wardens, or either of them, when notified or requested, to proceed in person on board any vessel for the purpose of examining the condition and stowage of the cargo thereof, and if there be any goods damaged on board said vessel it shall be the duty of said warden or wardens to examine the said goods in the place where the same have been stowed during the voyage, and not elsewhere, and it shall be the duty of said warden or wardens then and there to make a memorandum in writing, stating the particular marks and numbers (if marked and numbered), of each package or lot of goods so damaged, and the cause of damage as to him or them may appear evident ; it shall also be the duty of said warden or wardens to specify the manner in which said damaged goods or packages were found to be stowed, and to report the reason why said goods or packages were not properly stowed,

all of which shall be recorded by them in a book to be kept for that purpose.

SEC. 3. The said port warden or wardens, when notified or requested, shall proceed in person to any warehouse, store or dwelling, or in the public streets, or on the wharf, and examine any merchandise, vessels or materials, or other property said to have been damaged on board of any vessel, and after such examination it shall be the duty of said warden or wardens to record a full and complete statement of the survey held, in their book aforesaid, specifying each article or package by marks and numbers (if marked and numbered), and the cause of damage, if any there be, to the best of their knowledge and belief.

To examine damaged goods.

SEC. 4. It shall be the duty of the said port warden or wardens to keep a true and faithful record of all their acts, proceedings, surveys and reports in a book or books to be kept by them for that purpose, and said book or books shall be at all times open to the inspection of any person or persons interested therein.

To keep a record of their acts.

SEC. 5. It shall be the duty of the said port wardens, or either of them, when so requested, to furnish a certificate of any record in the book or books aforesaid to any person or persons interested therein, upon their paying to said warden or wardens the regular fee for said certificate, and such certificate shall be a true and exact copy of the record, word for word, as it stands recorded, neither anything added nor diminished, and in no case shall a certificate be given of anything which is not of previous record in said books. All certificates issued under this act shall be signed by the warden making the survey, and in case of a certificate given of matters of record by either of said wardens who shall make said survey, and all certificates given under this act, shall be received as evidence in any court in this state.

To furnish certificate of record, on request.

Certificates shall be received as evidence.

SEC. 6. The said port wardens shall be allowed for each and every survey held by them, or either of them, on board of any vessel on hatches, stowage of cargo or damaged goods, or at any warehouse, store or dwelling, or in the public street, or on the wharf, within the limits of the port of Providence, the sum of two dollars and fifty cents, and for

Fees of port wardens.

each and every certificate given in consequence thereof the sum of one dollar : *provided*, that the amount of fees on any single vessel, exclusive of certificates, shall in no case exceed the sum of five dollars for each warden, notwithstanding more than two visits may be necessary to the same vessel.

No survey to be valid, unless made by a warden.

SEC. 7. No survey held on board of any vessel, as provided in the second section of this act, shall be valid unless made by a port warden or wardens appointed under this act, and the expense of said survey shall be paid by the owner, master or consignee of said vessel; and in case of neglect or refusal to pay the same, after the same shall have been demanded, said expense may be recovered of the owner, master or consignee of said vessel by said port warden or port wardens, before any court of competent jurisdiction within this state.

Inconsistent acts repealed.

SEC. 8. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

## HEALTH.

AN ACT IN AMENDMENT OF AND IN ADDITION TO  
TITLE XIV, CHAPTER 74, OF THE REVISED STATUTES,  
"OF REGULATIONS FOR THE PREVENTION OF IN-  
FECTIOUS AND CONTAGIOUS DISEASES."

### Chapter 281

of March 5, 1858.

#### SECTION

1. Unwholesome provisions forbidden to be exposed for sale; rules for seizure and destruction of same.
2. Penalty for such exposure for sale.
3. Board of aldermen may order removal of filth, when dangerous to health.
4. Penalty for neglect to obey such order. Duties of superintendent of health and of city treasurer, if order is not obeyed.
5. Superintendent of health may issue like order in case of infectious or

#### SECTION

- contagious disease, Duties of superintendent of health and of city treasurer, if order is not obeyed.
6. Board of aldermen may order unhealthful vessel or hulk to be removed and cleansed.
7. Penalty for neglect to obey such order. Duties of superintendent of health and of city treasurer, if order is not obeyed.
8. Orders herein provided for, by whom to be served.
9. Provision as to repeal of statutes.

*It is enacted by the General Assembly as follows :*

SECTION 1. If any vegetable or fruit which shall be decayed, or any decayed, diseased or unwholesome meat, fish or other provisions, shall be in the possession of any person, or shall be sold or offered or exposed for sale, within the city of Providence, the same shall be forfeited; and the board of aldermen are authorized and empowered to make all rules and regulations for the immediate seizure and destruction of the same, by such officer as they may appoint for that purpose.

SEC. 2. Any person knowingly and wilfully selling or offering or exposing for sale, within the city of Providence, any of the articles declared to be forfeited by the preceding section, shall also forfeit and pay a penalty of not less than ten nor more than twenty dollars for each offence, to be

Unwholesome provisions forbidden to be exposed for sale; seizure and destruction of same.

Penalty for such exposure for sale.

recovered to and for the use of the city, by complaint and warrant before the police court of said city.

Board of aldermen may order removal of filth, when dangerous to health.

SEC. 3. Whenever there shall exist in or upon any building or premises within the city of Providence, owned or occupied by any person, any dirt, offal, animal or vegetable matter, or other filth, which in the opinion of the superintendent of health is dangerous to the health of the occupants or to the public health, it shall be lawful for the board of aldermen of said city to issue an order in writing, directed to the owner or occupant of such building or premises, directing him to remove such dirt or filth immediately, and to cleanse such building or premises, by the use of whitewash or other disinfectants, in such manner as in said order shall be prescribed.

Penalty for neglect to obey such order.

SEC. 4. In case the owner or occupant to whom such order shall be directed shall neglect or refuse to comply therewith within twenty-four hours after the service thereof upon him, such owner or occupant shall forfeit and pay, to and for the use of the city, a penalty of not less than five nor more than twenty dollars for each subsequent twenty-four hours during which he shall neglect or refuse to comply therewith, to be recovered by complaint and warrant before the police court of said city; and the superintendent of health is hereby authorized to go on and remove such dirt, offal, animal or vegetable matter, or other filth, and to cleanse such building or premises in the manner prescribed in the said order; and the city treasurer shall pay the expense of such removal and cleansing, and the owner and occupant of such building or premises shall be severally liable for the same, which shall be collected from such owner or occupant, by suit, in the name of the city treasurer and for the use of the city of Providence, before any court of competent jurisdiction.

Duties of superintendent of health if order is not obeyed.

Duties in case of infectious or of contagious diseases.

SEC. 5. Whenever a case of infectious or contagious disease exists in any tenement, cellar, or building used as a dwelling-place within the city of Providence, and any dirt, offal, animal, or vegetable matter, or other filth exists thereon, which in the opinion of the superintendent of health is prejudicial to the health of the inmates or to the public



health, the superintendent of health is hereby authorized to issue the order provided for in section three of this act, and, in case of refusal or neglect on the part of the owner or occupant to remove such filth and cleanse such premises within twelve hours after the service upon him of such order, to go on and remove the same, and cleanse and disinfect such premises, in such manner as he shall deem proper; and the city treasurer shall pay the expense of the same, and the owner and occupant of such premises shall be severally liable therefor, and the same shall be recoverable from such owner or occupant by an action in the name of the city treasurer, to the use of the city of Providence, before any court of competent jurisdiction.

Penalties.

SEC. 6. Whenever, in the opinion of the superintendent of health, the presence of any vessel or hulk, in any particular locality within the city of Providence, whether the same be used for navigation or otherwise, shall be prejudicial to the public health, it shall be lawful for the board of aldermen to issue an order in writing, directed to the owner, master, or occupant of such vessel or hulk, ordering him to remove the same immediately to such place as shall be designated in the said order, and to cleanse such vessel or hulk in such manner as shall be in such order prescribed.

Unhealthful vessel or hulk to be removed.

SEC. 7. In case the owner, master, or occupant of such vessel or hulk, shall neglect or refuse to remove and cleanse the same within twenty-four hours after such order shall have been served upon him, such owner, master, or occupant shall forfeit and pay, to and for the use of the city, a penalty of not less than ten nor more than twenty dollars for each subsequent twenty-four hours during which he shall neglect or refuse so to comply therewith, and the superintendent of health is hereby authorized to remove and cleanse the same; and the expense of such removal and cleansing shall be paid by the city treasurer, and shall be recovered from the owner, master, or occupant of such vessel or hulk, by suit in the name of the city treasurer, to the use of the city of Providence, before any court of competent jurisdiction, and the amount of any judgment so recovered shall be a lien upon such vessel or hulk until paid.

Penalty.

Orders, by whom to be served.

SEC. 8. The city sergeant of the city of Providence, or either of the police constables of said city, is hereby authorized to make service of the orders provided for in sections three, five, and six of this act, and to make return of such service, in writing, to the authority which may have issued the same.

Provisions as to the repeal of statutes.

SEC. 9. No act or part of an act, the provisions of which are not inconsistent with the provisions of this act, shall be repealed hereby, but the same shall be and remain in full force and vigor ; but any act or part of an act inconsistent herewith is hereby repealed.

## Chapter 616

of March 30, 1877.

Ch. 580 referred to was repealed by Ch. 495. See 16th R. I., p. 196.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 580 OF THE STATUTES, PASSED JANUARY 1865, ENTITLED "AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 74 OF THE REVISED STATUTES, 'OF REGULATIONS FOR THE PREVENTION OF INFECTIOUS AND CONTAGIOUS DISEASES.'"

SECTION

1. Board of aldermen may make regulations relative to removal of swill and house offal.

SECTION

2. Inconsistent acts repealed.
3. Operative clause.

*It is enacted by the General Assembly as follows :*

Board of aldermen may make regulations relative to removal of swill and house offal.

SECTION 1. Section one of said chapter 580 is hereby amended by adding thereto the following words : "And also to make all such rules and regulations as they shall deem necessary with reference to the collection and removal of swill and house offal in the city of Providence, and to the person or persons who shall collect and remove the same, being empowered and authorized under such rules and regulations to designate and appoint such person or persons to collect and remove the same as they shall see fit."

Inconsistent acts repealed.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Operative clause.

SEC. 3. This act shall take effect from and after its passage.

AN ACT IN AMENDMENT OF CHAPTER 598 OF THE PUBLIC LAWS ENTITLED "AN ACT TO REVISE, CONSOLIDATE AND AMEND THE ACT ENTITLED 'AN ACT TO INCORPORATE THE CITY OF PROVIDENCE,' AND THE SEVERAL ACTS IN ADDITION THERETO AND IN AMENDMENT THEREOF."

**Chapter 780**  
of April 26, 1889.

SECTION

1. Superintendent of health shall be elected for term of three years.

SECTION

2. City council may fill vacancy.  
3. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city council of the city of Providence on the first Monday in January, A. D., 1890, and upon the organization of the city government in every third year thereafter, in joint convention thereat, shall elect a superintendent of health for said city, who shall hold his office for the term of three years thereafter, and until another is elected and qualified to act in his place.

Superintendent of health shall be elected for three years.

SEC. 2. The city council of said city may fill any vacancy that shall occur in said office by resignation, death or otherwise.

City council to fill vacancy.

SEC. 3. This act shall take effect from and after its passage; and all acts and parts of acts inconsistent herewith are hereby repealed.

Operative clause.

AN ACT PROVIDING FOR THE APPOINTMENT OF CERTAIN OFFICERS IN THE CITY OF PROVIDENCE.

**Chapter 1002**  
of May 31, 1872.

SECTION

1. City council may appoint deputy superintendent of health, *pro tempore*.

SECTION

2. Board of aldermen may appoint deputy city registrar, *pro tempore*.  
3. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. In case of the absence or disability of the superintendent of health of the city of Providence, the city council may appoint a deputy superintendent of health, who shall hold his office and perform the duties of said superintendent so long as such absence or disability shall continue.

City council may appoint deputy superintendent of health, *pro tempore*.

Board of aldermen may appoint deputy city registrar, *pro tempore*.

SEC. 2. In case of the absence or disability of the city registrar of the city of Providence, the board of aldermen may appoint a deputy city registrar, who shall hold his office and perform all the duties of said city registrar so long as such absence or disability shall continue.

Operative clause.

SEC. 3. This act shall take effect from and after its passage.

## Act of 1833

June 29.

AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO ELECT AN INSPECTOR OF BEEF AND PORK FOR SAID CITY.

City council may elect inspector. Powers, and bond.

City council may elect an inspector of beef and pork.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted,* That it shall and may be lawful for the city council of the city of Providence, at the annual election of officers for said city, hereafter, to appoint one city inspector of beef and pork within said city; which said inspector shall have all the rights, powers, fees and privileges, and be subject to all the duties, penalties and forfeitures which by law appertain or are incident to the office of inspector-general of beef and pork for this state. And the said inspector shall before he enters upon the duties of his office, be sworn faithfully to perform the duties of the same; and shall give bond in manner and form as is by law required of the said inspector-general. And further, it shall and may be lawful for said city council, as soon as may be after the passage of this act, to appoint one city inspector, in manner and form aforesaid, to serve in said office, being first duly qualified as before mentioned, until the next annual election of city officers.

[NOTE.—This inspection must conform to the provisions of Chapter 131 of the General Laws; and the foregoing act is not repealed by said chapter, of which see Section 24.]

AN ACT AUTHORIZING THE BOARD OF ALDERMEN  
OF THE CITY OF PROVIDENCE TO COMPEL CON-  
NECTIONS WITH SEWERS ON SEWERED STREETS.

**Chapter 777**

of April 25, 1889.

SECTION

1. Board of aldermen may compel abutting owners to connect their estates with sewers on sewerred streets.
2. Notice, how served.

SECTION

3. Penalty in case of neglect or refusal to comply with order of board of aldermen.
4. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The board of aldermen of the city of Providence may compel any abutting owner or occupant of land upon any street in said city in which there is a sewer to connect the drainage of his land and premises with such sewer, and may direct said owner or occupant to fill up and destroy any cesspool, privy-vault, or other arrangement for the reception of drainage.

May compel owners on sewerred streets to connect with sewer.

SEC. 2. Upon the service of any order or direction, or a copy thereof, upon any owner or occupant of such land to connect the drainage as aforesaid, or to fill up or destroy any cesspool, privy-vault, or other arrangement for the reception of drainage, such owner or occupant shall comply with such order or direction within ten days from the time of service of such order.

Notice, on whom to be served.

SEC. 3. In case the owner or occupant to whom such order shall be directed shall neglect or refuse to comply therewith within ten days after the service thereof upon him, such owner or occupant shall be fined not less than five nor more than twenty dollars for each subsequent twenty-four hours during which he shall neglect or refuse to comply therewith, and, in case such neglect or refusal shall continue for sixty days after the service of said order, said board of aldermen may cause any cesspool, privy-vault, or other arrangement for the reception of drainage upon the land of such owner or occupant to be filled up and destroyed, and the pendency of any appeal from any of such orders or doings of said board, shall not affect the power of said board after the expiration of said period of sixty days to cause the same to be forthwith filled up and

Penalty in case of refusal.

Act of 1895, Ch. 1407.

destroyed, the foregoing provisions being in the interest of the public health of said city.

Operative clause.

SEC. 4. This act shall take effect from and after its passage ; and all acts and parts of acts inconsistent herewith are hereby repealed.

## Chapter 871

of May 2, 1890.

AN ACT GRANTING AUTHORITY TO THE CITY OF PROVIDENCE TO APPROPRIATE ANNUALLY TO THE RHODE ISLAND HOSPITAL THE SUM OF FIVE THOUSAND DOLLARS.

SECTION

1. Annual appropriation for Rhode Island Hospital.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

City of Providence authorized to appropriate \$5 000 to the R. I. Hospital, annually.

SECTION 1. The city council of the city of Providence is hereby authorized and empowered to make an appropriation of not exceeding five thousand dollars annually to the Rhode Island Hospital, under such limitations and conditions as may be determined from time to time by said city council.

Operative clause.

SEC. 2. This act shall take effect on its passage ; and all acts and parts of acts inconsistent herewith are hereby repealed.

## Chapter 1408

of March 1, 1895.

AN ACT AUTHORIZING THE MAYOR OF THE CITY OF PROVIDENCE TO CONTRACT WITH RHODE ISLAND HOSPITAL FOR THE CONSTRUCTION AND MAINTENANCE OF A HOSPITAL FOR CARE OF CONTAGIOUS AND INFECTIOUS DISEASES.

SECTION

1. Mayor may contract for hospital for contagious diseases.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

Mayor may contract with R. I. Hospital for construction and maintenance of building for care of contagious and infectious diseases.

SECTION 1. The mayor of the city of Providence is hereby authorized and empowered to contract, on behalf of the city of Providence, with the Rhode Island Hospital



of said Providence, for the construction and maintenance of a hospital ward, building or buildings, for the care of contagious and infectious diseases, at a cost not to exceed the sum of seventeen thousand five hundred dollars, said sum to be charged to the appropriation for contingencies. .

SEC. 2. This act shall take effect from and after its passage.

Operative clause.

## HIGHWAYS.

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**Act of 1822**

January 22.

AN ACT DECLARING CERTAIN PRIVATE STREETS AND GANGWAYS IN THE TOWN OF PROVIDENCE, IN THE COUNTY OF PROVIDENCE, TO BE PUBLIC HIGHWAYS.

**PREAMBLE**

Reciting petition to the general assembly to have certain private streets and gangways on a plat referred to, declared to be public streets.

**SECTION**

1. The said streets and gangways declared to be public highways.
2. Town not liable to repair the same, until decreed by town council.

Petition to have certain private streets declared to be public streets.

WHEREAS, Philip Crapo, Thomas Burgess, and Benjamin Hoppin, all of Providence, in the county of Providence, together with Benjamin Clifford and Samuel Y. Atwell, executors of the last will and testament of Amos M. Atwell, late of said Providence, deceased, have preferred their petition to this general assembly, setting forth that the said Philip Crapo, Thomas Burgess, Benjamin Hoppin, and Amos M. Atwell, were heretofore seized and possessed of two tracts of land, situate in the westerly part of said Providence and adjoining each other, and which are named and described in one deed from Hetty Atwell to them and Sullivan Moulton, dated on the twenty-eighth day of September, A. D. 1808, and recorded in said Providence, in book number thirty, and pages four hundred and thirty-six and four hundred and thirty-seven; and one deed from Richard Jackson, Jr., to the same persons, dated on the same day, and recorded in the same book, in pages four hundred and thirty-seven and four hundred and thirty-eight; which lands they, the said Philip Crapo, Thomas Burgess, Benjamin Hoppin, and Amos M. Atwell, laid out and platted into lots, streets, and gangways, and caused the plat thereof to be recorded in the same book, between pages four hundred and thirty-nine and four hundred and forty; and praying that the same streets and

gangways may be declared and made public streets; which petition has been approved by said town: therefore,—

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted,* That all of said streets and gangways which are laid out on or through said two tracts of land, and which are delineated on the record of said plat, shall be and the same are hereby made and declared to be public highways, to all intents and purposes; and that all persons who shall make, erect, or continue any obstruction, encroachment or nuisance on any of said highways, shall be liable to prosecution by indictment therefor.

Certain private streets and gangways declared to be public highways.

*See chap. 261, of Feb. 11, 1858, below.*

SEC. 2. *Provided, however, and be it further enacted,* That said town of Providence shall not be liable to repair said highways until the town council of said town shall resolve or decree that it is proper for the town to repair the same.

Town not liable to repair the same, until so decreed by town council.

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AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT DECLARING CERTAIN PRIVATE STREETS AND GANGWAYS IN THE TOWN OF PROVIDENCE, IN THE COUNTY OF PROVIDENCE, TO BE PUBLIC HIGHWAYS."

**Chapter 261**

of Feb. 11, 1858.

SECTION

1. Power of board of aldermen in relation to certain highways.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The board of aldermen of the city of Providence shall have the same power and authority to discontinue, alter, or change any of the public highways established by the act of which this act is an addition, as though said highways had been declared, laid out, or established as public highways by said board of aldermen.

Power of board of aldermen in relation to highways.

SEC. 2. This act shall take effect immediately from and after the passage thereof.

Operative clause

**Act of 1843**

January 12.

**AN ACT CONCERNING THE ESTABLISHMENT OF HIGHWAYS IN THE CITY OF PROVIDENCE.****SECTION**

1. Highway to be established on petition of owners of land.
2. Platted land may be established as highway, on petition of adjacent owners.
3. Highway may be established with consent of resident owners, after notice by advertisement to non-resident owners.

**SECTION**

4. Platted land may be established as highway, on petition of adjacent owners, after notice by advertisement to non-residents.
5. Highway of land used as such for twenty years.

*Be it enacted by the General Assembly as follows :*

Highway may be established, on petition of owners of the land.

**SECTION 1.** Whenever any owner or owners of land in the city of Providence shall present to the mayor and aldermen of said city their petition praying that a street or highway be established upon their land, it shall be lawful for said mayor and aldermen to establish such street or highway by declaring it to be a public highway, and ordering it to be recorded as such ; which, when so established, shall be a public highway to all intents and purposes.

Platted land may be established as a highway, on petition of adjacent owners.

**SEC. 2.** Whenever the owners of any land in said city adjacent to any land in said city which has been surveyed, marked out, and platted as a street or highway, and the plat thereof recorded in the records of said city, shall present their petition to said mayor and aldermen, praying that such street or highway may be established as a public highway, it shall be lawful for said mayor and aldermen so to establish the same in manner as provided in the first section of this act ; which, when so established, shall be a public highway to all intents and purposes.

Highway may be established with the consent of resident owners, after notice by advertisement to non-resident owners.

**SEC. 3.** Whenever said mayor and aldermen deem it expedient that any street or highway shall be laid out and established in said city, and all the owners of the land proposed to be taken therefor who reside in this state shall give their consent in writing that such street or highway shall be laid out and established, the said mayor and aldermen shall cause notice to be given to all persons interested living out of the state, by advertisement at least once a week for three successive months in one of the newspapers printed in said city, stating the time when the laying out and estab-

lishing such highway will be considered by said mayor and aldermen; and if at such time no person interested shall appear to object thereto, it shall be lawful for said mayor and aldermen to lay out and establish, in manner as provided in the first section of this act, such street or highway; which, when so laid out and established, shall be a public highway to all intents and purposes.

SEC. 4. Whenever all the persons living in this state who own land adjacent to any land in said city which may have been surveyed, marked out, and platted as a street or highway, and the plat thereof recorded in the records of said city, shall present to said mayor and aldermen their petition praying that such street or highway may be established as a public highway, it shall be lawful for said mayor and aldermen to proceed and give notice to all persons interested living out of the state, by advertisement in the manner provided in the third section of this act, and, if no person interested shall appear to object, it shall be lawful for said mayor and aldermen to establish, in manner as provided in the first section of this act, such street or highway as a public highway; which, when so established, shall be a public highway to all intents and purposes.

Platted land may be established as a highway, on petition of adjacent owners, after notice by advertisement to non-residents.

SEC. 5. The act entitled "An act in amendment of an act entitled 'An act for laying out highways,'" passed at the January session, A. D. 1829, is hereby declared to be inoperative and of no effect in the city of Providence; and it shall hereafter be lawful for the mayor and aldermen of said city to declare any land that has been quietly, peaceably, and actually used and improved for twenty years as a public street or highway, to be a public highway, as by the seventh section of the "Act for laying out highways," town councils were authorized to do prior to the passage of the before-named act.

Highway of land used as such for 20 years.

Re-enacted by Gen. Laws, Ch. 71, sec. 18.

**Chapter 406**

of Jan. 28, 1862.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT CONCERNING THE ESTABLISHMENT OF HIGHWAYS IN THE CITY OF PROVIDENCE."

## SECTION

1. Mayor and aldermen not to act without request of city council.

## SECTION

2. Inconsistent acts repealed.

*It is enacted by the General Assembly as follows :*

Mayor and aldermen not to act without request of the city council.

SECTION 1. The mayor and aldermen of said city shall not establish any street or highway in said city, or declare any land in said city to be a public street or highway, under any of the provisions of the act of which this act is an amendment, unless requested so to do by a vote of the city council of said city.

Inconsistent acts repealed.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

**Chapter 322**

of April 21, 1882.

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OF THE CITY OF PROVIDENCE TO DEFINE A GRADE FOR ANY PLATTED STREET OR WAY.

## SECTION

1. Grade of platted street which is not a public highway.
2. Notice to abutting owners.

## SECTION

3. Effect of defining grade.
4. Operative clause.

*It is enacted by the General Assembly as follows :*

Grade of platted street which is not a public highway.

SECTION 1. Upon request of the city council of the city of Providence, the board of aldermen of said city may define a grade for any platted street or way, in said city, which is not a public highway, the plat whereof is recorded in the office of the recorder of deeds in said city.

Notice to abutting owners.

SEC. 2. Before defining any grade as aforesaid, said board of aldermen shall cause such notice as said board may deem proper, to be given to all the owners of land abutting on said street or way, to appear before said board, at a time to be named in said notice, and be heard upon the question of defining such grade.



SEC. 3. When such street or way shall be received by said city as a public street or highway, the grade so defined as aforesaid shall be the established grade thereof; but no action of said board, by virtue of the provisions of this act, shall be a receiving of any such street or way as a public street or highway.

Effect of defining grade.

SEC. 4. This act shall take effect immediately upon its passage; and all acts and parts of acts inconsistent herewith are hereby repealed.

Operative clause.

AN ACT PROVIDING FOR THE LAYOUT OF STREETS AND HIGHWAYS IN THE CITY OF PROVIDENCE.

Chapter 587

of April 30, 1886.

SECTION

1. Board of aldermen, on request of city council, to appoint disinterested men to mark out highways.
2. Action of board of aldermen on the report.
3. Proceedings of board of aldermen to

SECTION

- conform to the provisions of Chapter 64 of the Public Statutes, except as modified by this act.
4. When to take effect. Inconsistent provisions of Chapter 64 of Public Statutes repealed.

*It is enacted by the General Assembly as follows :*

SECTION 1. Whenever the city council of the city of Providence shall request the board of aldermen of said city to lay out any highway in said city, said board of aldermen shall appoint three suitable men, not interested or concerned in the land through which such highway is to pass, who shall be engaged to the faithful discharge of their trust, and shall then proceed in all respects according to the provisions of sections 3, 4, 5 and 6 of Chapter 64 of the Public Statutes.

Board of aldermen, on request of the city council, to appoint disinterested men to mark out highway.

SEC. 2. The said board of aldermen after hearing the persons appearing to be heard pursuant to notice to appear, which shall be given as provided by section 6 of Chapter 64 of the Public Statutes, shall proceed to receive or reject the report presented by said men so appointed to lay out the highway, or, if they see fit, to recommit the same and the matter of said layout to the men so appointed as aforesaid for other report, or to commit the same and the matter of said layout to three other suitable men not interested or concerned in the land through which said highway is to

Action of the board of aldermen on their report.

Engagement of  
commissioners.

pass, who shall be engaged to the faithful discharge of their trust, and, if it be so recommitted or committed, then upon subsequent report to said board, like notice shall be given to persons interested in the land through which said highway is to pass, as is herein provided, upon the presentation of the first report. And when any report, so presented, shall be approved and received by said board, said board shall cause the same to be recorded, and thereupon said highway so laid out shall be deemed to be established. And said board may thereafter at any time cause said highway to be laid open, and all buildings, fences and other impediments and obstructions therein to be removed by the board of public works of said city, or other officer or officers exercising in said city the jurisdiction of surveyor of highways, under a warrant from said board of aldermen directed to said board of public works or other officer or officers for that purpose.

Record of report.

Proceedings to conform to the provisions of Chapter 64, except as modified by this act.

SEC. 3. Excepting as is herein otherwise provided and modified, the proceedings of said board of aldermen for the layout of any highway in said city upon the request of the city council of said city as aforesaid, shall conform to the provisions of said Chapter 64 of the Public Statutes in relation to the layout of highways, subject, however, to the right and effect of appeal as provided in said Chapter 64.

When to take effect; inconsistent provisions of Chapter 64 repealed.

SEC. 4. This act shall take effect on and after its passage; and all the provisions of said Chapter 64 of the Public Statutes inconsistent herewith are hereby repealed.

AN ACT IN RELATION TO THE LAYING OUT, ENLARGING, STRAIGHTENING OR OTHERWISE ALTERING STREETS IN THE CITY OF PROVIDENCE.

Act of 1854

February 22.

4 R. 1. 230.  
6 R. 1. 514.  
11 R. 1. 166.  
11 R. 1. 472.

SECTION

1. The city council may cause streets to be laid out, enlarged, straightened or otherwise altered.
2. Five commissioners of estimate and assessment to be appointed by the supreme court, after public notice.
3. Commissioners to view the premises; to cause a survey and plat to be made; to notify owners and persons interested; to estimate and assess the loss and damage, also the benefit or advantage, of the improvement, and to apportion not more than one-half the loss and damage to the persons and estates benefited; and to make report to the supreme court. Proceedings on the report in the supreme court. The city, after electing to make the improvement, to become seized of the lands in trust for highway purposes, and may take possession of them without proceedings at law.
4. If premises be under lease or contract, the same to be discharged.

SECTION

5. The damages assessed shall be paid by the city within four months. Mode of enforcing payment.
6. Assessments for benefits to estates, to be added to the taxes assessed upon said estates and to be a lien thereon until paid; and to be collected as taxes. One year in addition allowed in case of non-resident or minor.
7. Copies of the report, plat and maps shall be placed in city clerk's office and public notice given.
8. Compensation of commissioners.
9. The city council shall elect whether to make the improvement or not.
10. Either party may object to the report, and have a trial by jury. Proceedings.
11. Board of aldermen to declare the street, when opened, to be a public highway.
12. Highways may be laid out under the act for laying out highways.
13. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. That whenever in the opinion of the city council of the city of Providence, it shall be desirable and necessary to lay out, enlarge, straighten or otherwise alter any street or portion of a street, in said city, it shall be lawful for said city council to cause the same to be done in manner hereinafter provided, notwithstanding it may be necessary for that purpose to remove any building or buildings, or to take any lands, tenements or hereditaments whatever.

SEC. 2. That whenever and as often as any lands, tenements, hereditaments or premises shall be required for the purpose aforesaid, the city council may cause application to be made to the supreme court of this state for the appointment of five commissioners of estimate and assessment, which court shall appoint said commissioners as

City council may cause streets to be laid out, enlarged, straightened or otherwise altered.

May apply to the supreme court for appointment of commissioners.

To give notice thereof in two newspapers;

10 R. I. 320.

and by posters.

Supreme court to appoint the commissioners.

Commissioners to take oath.

Commissioners to view premises, and make survey and plat thereof.

To give notice, in two newspapers, of time and place of meeting for estimate and assessment, to all persons interested in lands to be taken, and to all owners of lands which in opinion of commissioners will be benefited.

11 R. I. 372.  
12 R. I. 144.

follows: Said city council shall give notice of such application, by advertisement, to be published in at least two of the public newspapers printed in said city, which notice shall specify the time and place of such application, and the nature and extent of the intended improvement, and shall be published for and during the space of three weeks previous to said appointment, and they shall, in addition to said advertisement, cause copies of the same in handbills to be posted up for the same space of time in three conspicuous places adjacent to the property to be affected by the intended improvement. At the time thus specified, or at any adjournment thereof, the said court shall appoint five discreet and disinterested persons as commissioners of estimate and assessment. But the court shall not necessarily deem every person who is a resident or taxpayer in said city to be an interested person in the view of this act. Said commissioners shall, before they enter upon the duties of their appointment, severally take an oath or affirmation, before some person authorized by law to administer oaths, "faithfully to perform the trust and duties required of them by this act," which oath or affirmation shall be certified by the person administering the same.

SEC. 3. That it shall be the duty of said commissioners to proceed to the place where such laying out, enlargement, straightening or other alterations are to be made and, after viewing the premises required for the same, shall cause a survey and plat thereof to be made; and thereupon they shall cause notice to be given to all persons interested in said lands, tenements, hereditaments and premises so required, and to all persons who are owners of lands, tenements, hereditaments and premises which are, in the opinion of said commissioners, benefited by said laying out, enlargement, straightening or other alterations, of the time and place of making an estimate of the value of the property so required and of the benefits conferred, by publishing when and where such estimate and assessment will be made, during the space of three weeks, in at least two of the newspapers printed in said Providence. At which time and

place said commissioners shall proceed to make a just and equitable estimate and assessment of the amount of the loss and damage, if any, over and above the benefit and advantage, and of the benefit and advantage, if any, over and above the loss and damage, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises so required, by and in consequence of the laying out, enlargement, straightening or other alterations as aforesaid; and a just and equitable estimate and assessment also of the value of the benefit and advantage of such laying out, enlarging, straightening or other alterations as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises not required for said laying out, enlarging, straightening or other alterations, but which, in the opinion of said commissioners, will be benefited thereby. And said commissioners shall report thereon to the supreme court without unnecessary delay; and whenever the loss and damage shall exceed the benefit and advantage, said commissioners shall estimate, assess and report the excess and surplus only; and whenever the benefit and advantage shall be equal and equivalent to the loss and damage, said commissioners shall report that the owner or parties will suffer no loss or damage, as the benefit and advantage will be equal to the loss and damage. And whenever the benefit and advantage shall exceed the loss and damage as aforesaid, said commissioners shall estimate, assess and report such excess and surplus only. And in all cases where any persons or parties are interested in any real estate or premises not required as aforesaid, but which in the opinion of said commissioners are benefited as aforesaid, it shall be the duty of said commissioners to estimate, assess and report the value of such benefit to such owner or owners, lessee or lessees, parties and persons respectively, in respect to the said lands, tenements, hereditaments and premises. And said commissioners shall set forth in said report the names of the respective owners, lessees, parties and persons interested in

To make an equitable estimate and assessment of damage over benefit, or benefit over damage, to owners of premises taken.

See *Ch. 991 of 1872*,  
*Sec. 4, page 251.*

6 R. 1. 514.  
8 R. 1. 474.  
8 R. 1. 493.  
10 R. 1. 567.

To make an equitable estimate and assessment of the benefit to owners of premises not taken.

To report to the  
supreme court.

How to report dam-  
age over benefit;

equal damage and  
benefit;

and benefit over  
damage.

To estimate, assess,  
and report as to  
owners, of lands  
benefited, but not  
taken for the street,  
the respective value  
of such benefit.

To report names of  
owners, description of  
lands, and respective  
damage and benefit.

11 R. 1. 372.

To apportion and assess, pro rata, not exceeding one half the loss and damage upon the persons and estates benefited.

See Ch. 921 of 1871,  
page 253.

But assessment in no case to exceed the benefit.

To be included in report.

Supreme court, after notice to parties, to confirm or recommend report.

Before confirmation of report, party objecting to it may have a trial by jury.

See Section 10,  
page 251.

Supreme court to confirm the report as modified by verdict of the jury.

any of the lands, tenements, hereditaments and premises aforesaid, and an apt and sufficient designation or description of the respective lots or parcels of lands and tenements, hereditaments and premises aforesaid, with the loss and damage, benefit and advantage, to each as aforesaid. And the said commissioners shall further apportion and assess such portion of the loss and damage as the city council may direct, on application for the appointment of commissioners, not exceeding one half the loss and damage, ascertained as aforesaid, upon the persons and estates so benefited, in the ratio of the benefits conferred: *provided*, that the amount of such assessments shall not exceed the amount of the benefit and advantage ascertained as aforesaid, but in case of such excess, to the extent of such benefit and advantage. And the commissioners shall include said assessment and apportionment in their report aforesaid. And upon the coming in of said report, signed by said commissioners, or any three of them, said court shall, by order, after giving notice to the parties interested, and after hearing any matter which may be alleged against the same, either confirm the same or refer it, in whole or in part, to said commissioners for revisal and correction, or to new commissioners, as they think fit, who shall return the same so corrected and revised to said court without unnecessary delay, which shall be confirmed or again referred as aforesaid, as right and justice shall require, until a report shall be made which said court shall confirm. But before the confirmation of said report, either of the parties interested, who shall object thereto, may have a trial by jury before said court, in the manner hereinafter provided, to determine the loss and damage, benefit and advantage, apportionment and assessment, as aforesaid. And in case the amount of loss and damage over and above the benefit and advantage as aforesaid, as assessed by said commissioners, shall be increased or decreased by the verdict of the jury, or in case the amount of the assessment of the benefit and advantage over and above the loss and damage, or of the apportionment and assessment, shall be decreased or increased by the verdict of the jury as aforesaid, said supreme court shall



confirm the report of said commissioners, after altering the same so as to conform to the verdict of the jury as aforesaid, and the difference in the damages or apportionment in consequence of the change in said report shall enure to or be paid by said city of Providence, and such report so confirmed shall be final and conclusive upon all parties. And said city of Providence, after electing that they will make said improvements, as provided in the ninth section of this act, shall become seized of all the lands, tenements, hereditaments and premises, in said report mentioned, that shall be required for said laying out, enlargement, straightening or other alterations, in trust, nevertheless, that the same be appropriated and kept open as a public street. And said city of Providence may thereupon, by such persons as the board of aldermen of said city shall order, either immediately or at any time or times thereafter, take possession of the same, or any part or parts thereof, without any suit or proceeding at law for that purpose, and remove all buildings and other impediments as said board of aldermen shall direct: *provided, however*, that it shall be lawful for said city council, by such person or persons as they shall direct, at any time before the final confirmation of said report as aforesaid, to agree with any of the parties interested, as to the loss and damage, benefit and advantage, apportionment and assessment, to each as aforesaid. And in case any real estate belonging to the city of Providence shall be taken or benefited as aforesaid, said commissioners shall estimate and assess the loss and damage, benefit and advantage, apportionment and assessment, the same as in the case of all other real estate.

SEC. 4. That in all cases where the whole of any lot or parcel of land or other premises, under lease or other contract, shall be taken for any of the purposes aforesaid, upon the election by the city council as provided in the ninth section of this act to make the said improvement, said lease or contract shall respectively cease and determine and be absolutely discharged. And in case part only of any lot or parcel of land or other premises, so under lease or other contract, shall be taken, all contracts and engagements

City to become seized of the lands in trust for highway purposes.

See Ch.991, of 1872,  
Sec. 4, page 254.

May take possession thereof without proceedings at law.

City council before final confirmation of report, may agree with parties interested upon a settlement.

Real estate of city to be subject to same proceedings.

Lease of land taken for a street shall terminate and be discharged.

Where part only of land is taken, lease shall terminate as to that part.

respecting the same shall, from the time of the election aforesaid, cease and determine and be absolutely discharged as to the part thereof so taken, but shall remain valid as to the residue; and the rents, considerations, and payments reserved or payable, and to be paid, for or in respect to the same, shall be so apportioned as that the proportional part thereof justly and equitably payable, or that ought to be paid, for such residue thereof, and no more, shall be demanded or paid or recoverable for or in respect of the same.

Damages to be paid by city within four months.

SEC. 5. The city of Providence shall, within four months after the confirmation of the report of the commissioners, which report shall be confirmed in portions from time to time, pay to the respective persons and parties, in whose favor any sum of money shall be estimated and reported, the amount so estimated, reported, and confirmed. And in default of payment within such time, said person, after application to the city treasurer for payment thereof, may sue for and recover the same with lawful interest; in which suit it shall be sufficient to declare generally for so much money due the plaintiff therein, by virtue of this act, for premises taken for the purposes herein mentioned, and it shall be lawful for the plaintiff to give any special matter in evidence under such general declaration and this act; and the report of the said commissioners, with proof of the right and title of the plaintiff to the sum demanded, shall be conclusive evidence in such suit or action.

Proceedings against city for payment.

What evidence may be given, and what conclusive.

SEC. 6. That the amounts so apportioned and assessed and confirmed as aforesaid to the real estates and premises, and to the owners of said real estates and premises, so required for the laying out, enlargement, straightening, and other alterations of any street as aforesaid, and to such real estate and premises, and the owners thereof, as in the opinion of the commissioners will be benefited thereby, though not required for such laying out, enlargement, straightening, and other alterations, as reported by said commissioners and confirmed by said court, shall be added to the taxes assessed against such real estate and premises and the owners thereof, by the assessors of taxes for said city of Providence at the next annual taxation thereof after the said confirmation

Assessments for benefits to estates to be added to the taxes assessed upon said estates, and be a lien thereon.

of said report, and the same shall be and remain a lien upon such real estates and premises from and after such confirmation until the same is paid, and shall be collected in the same manner as the other taxes assessed against said real estate and the owners thereof; except in cases where the said estates or property are owned by non-residents or minors, in which case one year in addition shall be allowed.

SEC. 7. That said commissioners of estimate and assessment shall, at least fourteen days before making their first report to said court as aforesaid, deposit a true copy of such report and of the plats and maps annexed thereto, in the city clerk's office of said Providence, for the inspection of whomsoever it may concern, and shall at the same time give notice thereof by publishing the same in at least two of the newspapers printed in the city of Providence.

SEC. 8. That said commissioners shall each be entitled to receive the sum of three dollars for each day actually employed in the duties of their said appointment, besides all reasonable expenses for maps, surveys, and plats, clerk hire, and other necessary expenses and disbursements, and the same to be paid by said city of Providence.

SEC. 9. And the said city council shall, within thirty days after the making of the first report to said court as aforesaid, elect whether they will make said improvement or not; and shall be authorized at any time, at or before said election, but not afterwards, to discontinue all further proceedings relative thereto, without the necessity of an application to said court for leave so to do. But upon such discontinuance, said city of Providence shall be liable for all costs of court and all commissioners' fees and expenses which shall have accrued, and said court may enter judgment and issue execution therefor.

SEC. 10. Either party who shall be dissatisfied with the report of said commissioners, shall be entitled to a hearing before said court upon his objections thereto, and upon written application to said court within twenty days after the notice shall have been given by order of court to the parties interested, as provided in the third section of this act, for a jury to hear and determine the amount of loss and

To be collected as other taxes; one year allowed in case of non-resident or minor.

Commissioners to deposit copy of report, plats, and maps in city clerk's office and give notice thereof.

*See Ch. 991 of 1872, Sec. 3, page 254.*

Compensation of commissioners.

City council to elect, within thirty days, whether they will make the improvement or not.

*See Ch. 991 of 1872, Sec. 1, page 253.*

Either party may object to report within twenty days and demand a trial by jury.

*See Ch. 991 of 1872, Sec. 2, page 254.*

9 R. 1. 50.

Costs, how to be taxed.

damage, benefit and advantage, apportionment and assessment, as aforesaid, which said application shall be heard and tried by a jury under the direction of the court; and if the party making such application fail to obtain a diminution of the amount of the benefit and advantage, or apportionment and assessment, or an increase of the loss and damage, as the case may be, such party shall be liable for all costs arising after the entry of such application for a jury, and said court shall enter judgment and issue execution accordingly; and if the city of Providence apply for a jury and fail to obtain a diminution of the loss and damage, or an increase of the benefit and advantage, or apportionment and assessment, as aforesaid, it shall in like manner be liable for costs, and said court may enter judgment and issue execution for such costs.

Board of aldermen to declare the street, when opened, to be a public highway.

SEC. 11. That whenever all buildings and impediments have been removed by order of the board of aldermen as aforesaid, and the same or a portion thereof be opened for public use, said board of aldermen shall declare the portion of said street so opened a public highway, and the same shall thereafter be a public highway to all intents and purposes.

Board of aldermen may lay out highways under highway law.

SEC. 12. The board of aldermen of said Providence may, notwithstanding this act, whenever requested thereto by said city council, and not otherwise, proceed to lay out any highway in said city as heretofore, under the act entitled "An act for laying out highways."

Operative clause.

SEC. 13. This act shall go into effect immediately after the passage thereof; and all acts and parts of acts inconsistent herewith are hereby repealed.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT IN RELATION TO THE LAYING OUT, ENLARGING, STRAIGHTENING OR OTHERWISE ALTERING STREETS IN THE CITY OF PROVIDENCE."

**Chapter 921**

of March 24, 1871.

SECTION

1. Commissioners may assess three-fourths of the expense of opening streets upon estates benefited.

SECTION

2. Inconsistent acts repealed.
3. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The commissioners appointed under the provisions of the act to which this act is in amendment, are hereby authorized to assess three-fourths of the loss and damage occasioned by the laying out, enlarging, straightening or otherwise altering streets in the city of Providence under the provisions of said act, upon the persons and estates benefited thereby, in the ratio of the benefits conferred, or such portion thereof as the city council of said city of Providence shall direct in the application for the appointment of such commissioners.

Commissioners may assess three fourths of the expense of opening streets upon estates benefited.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Inconsistent acts repealed.

SEC. 3. This act shall take effect from and after its passage.

Operative clause.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT IN RELATION TO THE LAYING OUT, ENLARGING, STRAIGHTENING OR OTHERWISE ALTERING STREETS IN THE CITY OF PROVIDENCE."

**Chapter 991**

of April 26, 1872.

SECTION

1. City council to elect within sixty days after filing of report whether they will make improvement or not.
2. Aggrieved persons to file notice of intention to claim jury trial with clerk of supreme court.
3. City clerk to cause notice to be

SECTION

- served that report has been filed in supreme court.
4. Buildings and improvements upon land taken for streets to remain the property of the owner of the land taken.
5. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city council of the city of Providence shall, within sixty days after the commissioners of estimate and assessment shall have made their first report to the

City council must elect, within sixty days after filing the report, whether they will make improvement or not.

supreme court, as provided in the act to which this act is in amendment, elect whether they will make the improvement described in said report or not.

Aggrieved persons to file notice of their intention to claim a jury trial with clerk of supreme court.

SEC. 2. Any person aggrieved by the report of the commissioners shall, within thirty days after the reception by him of the notice by the city clerk of the filing of said report in the supreme court as hereinafter provided, file with the clerk of said court a notice in writing of his intention to claim a jury trial; and in case such aggrieved person fails to file such notice with said clerk of the supreme court as aforesaid, he shall not be entitled to a jury trial.

City clerk to cause notice to be served that report has been filed in the supreme court.

SEC. 3. The said city clerk shall, immediately upon the filing of said first report in the supreme court, cause personal notice to be served by the city sergeant upon all persons named in said report residing in this state, and shall also cause a copy of said notice to be published daily three times in at least two of the newspapers published in said city, to the effect that such report has been filed in the supreme court, and that all persons aggrieved by said report must file with the clerk of the supreme court a notice in writing of his intention to claim a jury trial, as provided in section two of this act.

Buildings and improvements to remain property of owners of land taken.

SEC. 4. All buildings and improvements upon any land taken under the provisions of the act to which this is in amendment, shall remain the property of the owners of the land over which the street or highway shall be laid out.

Operative clause.

SEC. 5. This act shall take effect from and after its passage; and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.



AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT IN RELATION TO THE LAYING OUT, ENLARGING, STRAIGHTENING OR OTHERWISE ALTERING STREETS IN THE CITY OF PROVIDENCE."

Chapter 317

of March 28, 1873.

SECTION

1. Owners of estates, portions of which are taken, may give notice of intention to surrender such estates.
2. Appraisers to be appointed, how and by whom.

SECTION

3. Appraisers to make written report of value. Award to be forthwith paid by city.

*It is enacted by the General Assembly as follows :*

SECTION 1. Any owner of any estate, any portion of which shall be taken under the provisions of the act entitled "An act in relation to the laying out, enlarging, straightening or otherwise altering streets in the city of Providence," or the several acts in amendment thereof, may at any time within sixty days after the filing of the report of the commissioners of estimate and assessment, but not after, give notice in writing to the board of aldermen of said city, that he objects to the award of damages, and proposes to surrender his said estate to said city of Providence.

Owners of estates, portions of which are taken, may give notice of intention to surrender the estates.

SEC. 2. In case said board shall accept said proposition, and said owner cannot agree with said board for the value of such estate, said board shall appoint one person and said owner another person, and said persons so appointed shall, after notice to said owner and said board, fix the value of such estate, and in case they cannot agree upon such value, shall select a third person, and the determination of any two of said persons agreeing, shall be final and conclusive upon said owners and said city, upon the question of the value of said estate.

Appraisers to be appointed, how and by whom.

SEC. 3. The persons so appointed shall, as soon as may be, make report in writing to the city clerk of said city, of their determination of such value, and the said owner, after receiving notice of the filing of said report, shall forthwith convey said estate to said city of Providence, and said city shall thereupon pay to said owner the amount of said award.

Appraisers to make written report.

Award to be forthwith paid by city.

**Chapter 288**

of March 31, 1882.

AN ACT IN ADDITION TO AND IN AMENDMENT OF CHAPTER 619 OF THE PUBLIC LAWS, AND OF AN ACT PASSED AT THE JANUARY SESSION OF THE GENERAL ASSEMBLY, A. D. 1854, ENTITLED "AN ACT IN RELATION TO THE LAYING OUT, ENLARGING, STRAIGHTENING OR OTHERWISE ALTERING STREETS IN THE CITY OF PROVIDENCE," AND OF THE SEVERAL ACTS IN AMENDMENT THEREOF.

## SECTION

1. Land taken for any highway heretofore made under the provisions of the act of 1854 and its amendments, and paid for by the city, shall be a

## SECTION

highway notwithstanding any defect in the proceedings; but no assessment for benefits shall be made.  
2. Operative clause.

*It is enacted by the General Assembly as follows :*

Lands taken and paid for by the city for any highway heretofore made, to be a highway notwithstanding defect in proceedings.

SECTION 1. Whenever any highway in the city of Providence shall have been heretofore actually opened, widened, enlarged and straightened, or otherwise altered under the provisions of the act passed at the January session, 1854, entitled "An act in relation to the laying out, enlarging, straightening or otherwise altering streets in the city of Providence," and of the several acts in amendment thereof, and the land taken therefor has been paid for by said city to the person or persons entitled thereto, said land shall for all purposes be deemed to be a public highway, notwithstanding any defect in the proceedings in the taking or condemnation of such land: *provided*, that no assessment for alleged benefits to any person or estate by reason of such opening, widening, enlarging, straightening or other alteration, shall be made.

No assessment for benefits to be made.

Operative clause.

SEC. 2. This act shall take effect immediately upon its passage.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT IN RELATION TO THE LAYING OUT, ENLARGING, STRAIGHTENING OR OTHERWISE ALTERING STREETS IN THE CITY OF PROVIDENCE," AND THE ACTS IN AMENDMENT THEREOF AND IN ADDITION THERETO.

## Chapter 369

of May 14, 1896.

### SECTION

1. Laying out, enlarging and straightening streets in city of Providence; revised report of commissioners; proceedings on revised report; no

### SECTION

- person to have benefit of this act whose status is not altered by revised report.
2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. Whenever under the provisions of the act entitled "An act in relation to laying out, enlarging, straightening or otherwise altering streets in the city of Providence," passed at the January session, A. D. 1854, and of the several acts in amendment thereof and in addition thereto, the commissioners of estimate and assessment shall have made report to the supreme court as provided by said acts, and such report shall be referred back to the same commissioners or to new commissioners for revisal and correction, and the commissioners shall return the same revised and corrected, the clerk of said court shall forthwith give notice of the filing of such revised and corrected report, by advertisement for ten days in at least two of the public newspapers published in said city, and any person interested in such revised and corrected report, or in any subsequent revised and corrected report, made by such commissioners, aggrieved thereby, may have a trial by jury before said court, upon his objections thereto, and upon written application to said court within twenty days after such revised and corrected report shall be filed in said court, whether or not such person shall have filed theretofore with the clerk of said court a notice in writing of his intention to claim a jury trial, and whether or not such person shall have made application for a jury trial as provided by said acts: *provided, however,* that no person shall have the benefit of this act, whose loss and damage, if any, over and above the benefit and advantage, or whose benefit and advantage,

Of the laying out, enlarging, or straightening of streets.

Revised report of commissioners.

Proceedings on revised report.

No person to have benefit of this act whose status is not altered.

if any, over and above the loss and damage, or whose apportionment and assessment for benefits conferred, or whose status by and under the proceedings and doings under said acts, is not altered by such revised and corrected report.

SEC. 2. This act shall take effect from and after its passage.

Operative clause.

**Chapter 666**

of May 23, 1899.

AN ACT RELATING TO THE ABANDONMENT OF HIGHWAYS, BEING AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 71 OF THE GENERAL LAWS, "OF LAYING OUT AND MAKING HIGHWAYS AND DRIFTWAYS."

SECTION

1. Owners of land abutting on a highway ordered abandoned, entitled to compensation for damages sustained thereby.

SECTION

2. Town council to give notice to persons interested of intention to abandon; notice how given.
3. Of appeal from award of damages.
4. Operative clause.

*It is enacted by the General Assembly as follows:*

Owners of lands abutting upon a highway ordered abandoned, are entitled to compensation for any damages sustained.

SECTION 1. The owners of lands abutting upon a highway or driftway in any town shall be entitled, upon the abandonment of such highway or driftway either wholly or in part, to receive compensation from the town for the damages, if any, sustained by them by reason of such abandonment; and the town council, whenever it abandons the whole or any part of a public highway or driftway, shall at the same time appraise and award such damages.

Town council to give notice to persons interested, of intention to abandon.

SEC. 2. Every town council, before proceeding to abandon any highway or driftway or any part thereof, shall give notice to the owners of the lands abutting upon any part of such highway or driftway within the town, to appear, if they see fit, and be heard for or against such abandonment, and as to the damage, if any, which they will sustain thereby. Such notice shall be given by advertisement once a week for three successive weeks next prior to the meeting of the town council at which such abandonment is to be first considered, in some daily or weekly newspaper printed in English and published in the town; or, if there be no such news-

Notice how given.

paper published in the town, then in some such daily or weekly newspaper published in the nearest town in which such newspaper is published; and a further and personal notice shall be served upon every person known to reside within this state, who is an owner of land abutting upon that part of such highway or driftway which it is proposed to abandon.

SEC. 3. Any person aggrieved by any order or decree of the town council abandoning a highway or driftway or any part thereof, or awarding damages on such abandonment, may appeal from such order or decree to the supreme court within the time and in the manner provided by Chapter 248 of the General Laws with reference to appeals from town councils.

Of appeal from award of damages.

SEC. 4. This act shall take effect immediately.

Operative clause

AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PERMIT THE PLANTING OF SHADE TREES IN THE STREETS, LANES, AND HIGHWAYS IN THE CITY OF PROVIDENCE.

Chapter 1102

of April 29, 1892.

SECTION

- 1. Trees in public highways, license for; trees private property; when trees may be removed; appeal from decision of commissioner of public works to remove trees.

SECTION

- 2. Damages for destruction or injury of trees.
- 3. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The commissioner of public works in the city of Providence is authorized and empowered to authorize any person or persons to plant and transplant trees for shade or otherwise in front of land owned by such person or persons in any of the streets, lanes, and highways of the city of Providence, whenever and wherever in his judgment it will not interfere with the public travel, and whenever it will not interfere with the private rights of abutting owners. All shade trees now standing in such streets, lanes, and highways, and all trees planted therein pursuant to a license given by such commissioner, shall be deemed

Trees in public highways, license for.

Trees private property.

and taken to be the private property of the person or persons owning the land in front of which they now stand or may be planted, and shall not be deemed a nuisance, but said commissioner of public works may cause such trees to be removed from said street, land, or highway whenever he deems that public necessity requires such removal: *provided*, that ten days' notice in writing shall be given by said commissioner to the owner or owners of any such tree of his intention to remove the same, and if the owner or owners shall, within ten days, file with the board of aldermen of said city an objection, in writing, to such removal, no such tree shall be so removed except by order of said board.

When trees may be removed.  
Appeal from commissioner's decision.

Damages for destruction or injury of trees.

SEC. 2. Whoever negligently, carelessly, or wilfully suffers a horse or other animal driven by or for him, or a beast belonging to him, to break down, injure or destroy a tree not his own, standing on or adjoining to any street, lane, or highway, or in any public park in said city, or who shall wilfully or negligently, by any means whatever, break down, destroy or injure any such tree, shall be subject to an action for damages at the suit of the owner or owners of such tree, or of the owner or tenant of the land upon or in front of which such tree stands or may have stood.

Operative clause.

SEC. 3. This act shall take effect upon its passage; and all acts and parts of acts inconsistent herewith are hereby repealed.

**Chapter 1236**  
of May 4, 1893.

AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO REGULATE THE USE OF CERTAIN PORTIONS OF ITS HIGHWAYS.

SECTION

1. City council to cause portion of Elmwood avenue to be turfed; other streets may be similarly treated.

SECTION

2. Operative clause.

City council may cause portions of Elmwood avenue to be turfed.

SECTION 1. The city of Providence is hereby authorized by ordinance to cause such portions as shall be determined by the city council, of Elmwood avenue, and of other streets,

*It is enacted by the General Assembly as follows :*



highways, places and squares in the city of Providence, between the central or main traveled roadway and the outside lines of such highways, to be turfed, and by ordinance to prohibit travelers with horses, teams or vehicles from riding or driving upon the portions of such highways so turfed, excepting at street crossings, and to enforce such prohibition by appropriate penalties to be prescribed by ordinance.

Other streets may be similarly treated.

SEC. 2. This act shall take effect from and after its passage.

Operative clause.

AN ACT IN RELATION TO WATERING STREETS IN THE CITY OF PROVIDENCE.

**Chapter 1337**

of June 13, 1894.

SECTION

1. Commissioner of public works to cause streets to be watered, when ; cost thereof to be assessed on estates benefited.

SECTION

2. Assessments for street watering, how collected.  
3. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. Upon the petition of the owners of the majority of the land, measured by the front foot, abutting on any public street or any portion thereof in the city of Providence, the city council of said city, in any year and from year to year, shall have power to direct the commissioner of public works of said city to cause such street or portion thereof to be sprinkled with water for the ensuing dry season, not exceeding seven months ; and said commissioner shall thereupon cause the same to be watered and shall assess the cost thereof, exclusive of the water used, upon the estates benefited thereby in the ratio of the benefits conferred, but each estate abutting on such street or portion thereof shall be assessed an amount proportionate to the number of linear feet of such estate upon such street or portion thereof, and with regard to the varying width of the same, if any, so watered.

Commissioner of public works to cause streets to be watered, when.

Cost thereof to be paid by whom.

SEC. 2. Said assessments shall be certified by said commissioner to the city treasurer of said city for collection. Said treasurer shall thereupon give notice by publication that the assessments on such street or portion thereof so

Assessments, how collected.

watered have been made, and shall thereafter collect the same in the same manner and at the same time as the annual taxes assessed upon real estate in said city, and the assessment upon any estate shall be a lien upon such estate from the time the same is certified and lodged with said city treasurer. Any person aggrieved by any such assessment may, within thirty days from the time of the publication of said notice, appeal therefrom to the common pleas division of the supreme court to be holden within and for the county of Providence, by giving notice in writing to said city treasurer of a claim of appeal, and by giving bond to the city treasurer in the sum of one hundred dollars, with sureties satisfactory to the city treasurer, to prosecute his appeal with effect, or in default thereof to pay all costs which shall accrue to the city. Such person appealing shall file within thirty days after giving said bond his reasons of appeal, together with a copy of the proceedings appealed from, in the clerk's office of said court; and every person appealing who shall fail to have such assessment reduced on appeal, shall be adjudged to pay the costs of suit, and the city treasurer shall proceed to collect such assessment as if such appeal had not been taken, but, if on trial in the appellate court, the appellant shall succeed in having such assessment reduced, he shall recover costs, and the city treasurer shall collect from him only so much of said assessment as shall have been found on appeal to be due from the appellant.

Operative clause.

SEC. 3. None of the powers already conferred upon said commissioner of public works by general law or special statute shall be abrogated or diminished by this act; and this act shall take effect from and after its passage.

AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO BORROW NOT EXCEEDING TWO HUNDRED THOUSAND DOLLARS FOR THE LAY OUT AND BUILDING OF A NEW STREET FROM MARKET SQUARE OR SOUTH WATER STREET TO PROSPECT STREET.

**Chapter 800**

of June 13, 1900.

SECTION

- 1. City council authorized to borrow \$200,000.
- 2. Provision for sinking fund and interest.

SECTION

- 3- Money to be exclusively used for laying out a new street from Market Square or South Water street to Prospect street.
- 4. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city of Providence is hereby authorized to borrow not exceeding two hundred thousand dollars, and to issue its notes and bonds, or either, for the same, for such time and in such amounts as may be fixed by the city council of said city.

City authorized to borrow \$200,000.

SEC. 2. The city council shall annually appropriate, until said notes or bonds are paid in full, besides a sufficient sum to pay the interest thereon, a sum to be placed as a sinking fund sufficient for the redemption of said notes and bonds when due, and all premiums arising from the sale of said notes and bonds shall be placed to the credit of said sinking fund.

Provision for sinking fund and interest.

SEC. 3. All moneys raised by the provisions of this act shall be exclusively used and expended for the purpose of the layout and building of a new street from Market Square or South Water street to Prospect street in said city.

Money to be exclusively used for a new street from Market Square or South Water St. to Prospect St.

SEC. 4. This act shall take effect from and after its passage.

Operative clause.

**Chapter 876**

of March 29, 1901.

AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO HIRE THE SUM OF ONE HUNDRED AND FIFTY THOUSAND DOLLARS FOR HIGHWAY PURPOSES.

## SECTION

1. City of Providence authorized to hire \$150,000 for highway purposes.

## SECTION

2. Sinking fund.  
3. Operative clause.

*It is enacted by the General Assembly as follows :*

City of Providence authorized to hire \$150,000 for highway purposes.

SECTION 1. The city of Providence is hereby authorized and empowered to hire, from time to time, not exceeding the sum of one hundred and fifty thousand dollars, to be exclusively used and expended for highway purposes, and to issue its notes and bonds, or either, therefor, for such time and in such amounts as may be fixed by said city council thereof, and such notes may be renewed from time to time as the same become due.

Sinking fund.

SEC. 2. The city council shall annually appropriate, so long as said notes or any renewals of the same, or said bonds, are outstanding, besides a sum to pay the interest thereon, a sum to be placed as a sinking fund sufficient for the redemption of said notes, or any renewals of the same, and said bonds, within thirty years from the date of the issue thereof; and all premiums arising from the sale of said notes and bonds shall be placed to the credit of said sinking fund.

Operative clause.

SEC. 3. This act shall take effect from and after its passage.

## MUNICIPAL INDEBTEDNESS.

OF THE POWERS OF, AND OF SUITS BY AND AGAINST,  
TOWNS.

SECTION

20. Outstanding obligations to be fulfilled.

SECTION

21. Limitation of indebtedness.  
22. Limitation of taxes.

SECTION 20. The outstanding notes, bonds, and contracts of towns shall be paid and be fulfilled according to the tenor thereof, and all public works now authorized to be prosecuted shall be prosecuted, and all indebtedness now authorized to be incurred on account thereof may be incurred, according to the tenor of the authority therefor.

SEC. 21. No town shall, without special statutory authority therefor, incur any debt in excess of three per centum of the taxable property of such town, including the indebtedness of such town on the tenth day of April, one thousand eight hundred seventy-eight; but the giving of a new note or bond for a pre-existing debt, or for money borrowed and applied to the payment of such pre-existing debt, is excepted from the provisions of this section, and the amount of any sinking fund shall be deducted in computing such indebtedness.

SEC. 22. No town shall assess its ratable property in any one year in excess of one per centum of its ratable value, except for the purpose of paying the indebtedness of such town or the interest thereon, or for appropriations to any of the sinking funds, or for extraordinary repairs for damages caused by the elements; but assessments for specific benefits conferred by the opening or improving of any public highway, or for any public sewer, shall not be taken to be within the provisions of this section.

### General Laws

Chapter 36

re-enacting

### Chapter 666

of April 10, 1878.

Outstanding obligations to be fulfilled.

Limitation of indebtedness.

Limitation of taxes.

On April 10, 1878, the General Assembly by the foregoing act fixed a limitation to Municipal Indebtedness without special authority. The debt of the City of Providence then existing exceeded that limitation, and since that date the City has had no power to incur indebtedness (not otherwise authorized by the General Assembly), except by special statutory authority, obtained from time to time.

In this period of twenty-three years there have been passed by the General Assembly, more than fifty enabling statutes authorizing the City to incur indebtedness, or to appropriate money, for specific purposes. Many of the statutes have become obsolete by the entire accomplishment of the purpose for which they were obtained; and many others have become obsolete by the entire exhaustion of the powers conferred and the adoption of ordinances or resolutions by which the powers have been exercised and the money thus borrowed expended. A few of these statutes have not yet been acted upon by the City Council and will be found printed in full in appropriate sections of this book. To reprint the many obsolete statutes, which are rarely consulted, would, it is believed, have been of little practical value.

Another reason for omitting the text of the obsolete statutes is that, of themselves, they do not reveal the present conditions of the Municipal Indebtedness, of which they furnished the origin; and present conditions of the City debt are of paramount importance. These conditions, changing from time to time, can always be ascertained from the quarterly reports of the Commissioners of Sinking Funds, and from the annual report of the City Auditor.

The following classified lists show the statutes under which the City has been authorized to incur indebtedness :



## WATER SUPPLY BONDS.

Chap.	Date.	Amount Authorized.	Purpose of Loan.
640	March 8, 1866	\$2,000,000	Paid, or refunded.
784	March 12, 1869	2,000,000	Paid, or refunded.
897	Jan'y 24, 1871		Land damages. See page 38.
941	March 24, 1871		Immediate right of action.
967	Jan'y 25, 1872		Provides that bonds under Chaps. 640 and 784 may be paid in gold.
430	Feb'y 16, 1875	1,000,000	
528	April 12, 1876	1,000,000	
573	June 14, 1876		Provides that bonds under Chaps. 430 and 528 may be paid in gold.
577	April 30, 1886	500,000	
945	April 30, 1891	500,000	Misprinted \$400,000 in public laws.
1226	March 2, 1893	500,000	
764	April 12, 1900	2,700,000	Refunded \$2,666,000 of bonds issued under Chaps. 640 and 784, above.

## SEWER BONDS.

Chap.	Date.	Amount Authorized.	Purpose of Loan.
433	Feb'y 18, 1875	\$1,000,000	Paid. See Chap. 1404, below.
384	June 1, 1883	2,000,000	
942	April 30, 1891	2,000,000	
1231	March 2, 1893	1,500,000	
1404	Feb'y 28, 1895	165,000	
			Refunded \$91,000 of City Hall and Sewer Loan. Compare Miscellaneous Loans, page 272.

## HIGHWAY BONDS.

Chap.	Date.	Amount Authorized.	Purpose of Loan.
658	June 3, 1887	\$200,000	City Highways.
870	May 2, 1890	300,000	City Highways.
941	April 30, 1891	700,000	City Highways.
994	May 28, 1891		Amends Chap. 941 by providing for payment of bonds in gold.
1227	March 2, 1893	500,000	City Highways.
1399	Feb'y 26, 1895	600,000	City Highways.
635	March 3, 1899	100,000	For Charles St. improvement and balance for New Highways.
800	June 13, 1900	200,000	New street from South Water St. to Prospect St. See page 263.
876	March 29, 1901	150,000	Highway Purposes. See page 264.

## SCHOOL BONDS.

Chap.	Date.	Amount Authorized.	Purpose of Loan.
687	April 12, 1878	\$350,000	Completion of City Hall and High School Building; and dredging of Cove Basin. Paid.
944	April 14, 1891	300,000	School Houses and Lots.
995	May 28, 1891		Amends Chap. 944, by providing that Bonds shall be payable in gold.
1228	April 28, 1893	300,000	For building, furnishing and altering School Houses.
1400	Feb'y 20, 1895	400,000	School Houses and Lots.
1402	Feb'y 28, 1895		Authorizes the taking of lands for School purposes. See page 79.
364	April 24, 1896	300,000	School Houses and Lots.
510	May 27, 1897	300,000	Annually for School Houses and Lots.
526	March 4, 1898		Amends Chap. 510 and authorizes providing School buildings with sanitary furnishings. Expired.
634	Feb'y 21, 1899	35,000	For Evening Schools. Paid.
688	May 3, 1899		Continues in force Chap. 364 of 1896.

## PARK BONDS.

Chap.	Date.	Amount Authorized.	Purpose of Loan.
873	April 25, 1890	\$75,000	To purchase Thos. Davis estate.
943	April 30, 1891	500,000	To purchase land for parks.
993	May 28, 1891		Bonds under Chap. 943 shall be payable in gold.
1018	July 24, 1891		To condemn land adjoining Roger Williams Park for park purposes.
1229	March 7, 1893	100,000	For improvement of Davis Park.
1230	April 19, 1893	300,000	For improvement of Roger Williams and Blackstone Parks.
1291	May 1, 1894	100,000	For the purchase of land for parks.
1401	May 22, 1895	150,000	To purchase land for parks.
1409	May 22, 1895		To condemn certain lots of land for park purposes.
365	April 28, 1896		Amends Chap. 1229 authorizing the purchase of land for Davis Park.
425	Oct. 2, 1896	150,000	For completing work on Roger Williams and Blackstone Parks, and Parkway. See page 278.
427	Oct. 2, 1896	15,000	Casino at Roger Williams Park.
525	Feb'y 16, 1898	10,000	Furnishing and decorating Casino.
875	March 29, 1901		Amends Chap. 425 by authorizing the purchase of land for Blackstone Park. See page 279.

## MISCELLANEOUS LOANS.

Chap.	Date.	Amount Authorized.	Purpose of Loan.
	June 15, 1855	\$600,000	Debt of the City. Paid.
441	Sept. 6, 1862	500,000	Civil War Expenses. Paid.
739	March 12, 1868		Registration of bonds. See page 20.
772	June 10, 1868	125,000	Point Street Bridge. Paid.
	April 11, 1872	500,000	Springfield Railroad. Paid.
310	March 14, 1873		Board of Commissioners of Sinking-funds. See page 20.
436	Feb'y 19, 1875	800,000	City Hall. Paid.
460	April 13, 1875		Amends preceding Chap. 436. See also Chap. 1404, below.
687	April 12, 1878	350,000	City Hall, High School, and dredging Cove Basin. Paid.
701	May 30, 1878	700,000	Balance of indebtedness. Paid.
273	March 22, 1882	75,000	Harbor improvement. Paid.
323	April 21, 1882		State tax. See page 21.
349	March 28, 1883		Washington Bridge.
388	Feb'y 15, 1884		Amends Chap. 349 of 1883, providing for the building of Washington Bridge.
652	May 6, 1887		Amends Chap. 349 and provides for payment by the city of Washington Bridge.
875	March 11, 1890		Commissioners to award damages by the construction of Washington Bridge.
670	Feb'y 28, 1888	30,000	For placing City wires underground in close Fire District.
722	May 31, 1888	450,000	To fill in Cove Basin.

MISCELLANEOUS LOANS, *Continued.*

Chap.	Date.	Amount Authorized.	Purpose of Loan.
1235	March 22, 1893		Amends preceding Chap. 722.
913	May 30, 1890	\$200,000	To purchase a site for State House.
997	May 29, 1891	150,000	Retaining wall from Hill's Wharf to Sassafras Point. See page 224.
689	May 26, 1899	450,000	Amends preceding Chap. 997 by providing for general improvement of Providence Harbor. See page 224.
1139	June 3, 1892	100,000	For new Central Police Station.
1233	May 25, 1893	50,000	For new Central Police Station.
1332	June 12, 1894		To hire necessary amount for building Red Bridge.
559	May 6, 1898		Amends preceding Chap. 1332.
1404	Feb'y 28, 1895	165,000	Refunded \$91,000 of City Hall and Sewer Loan. Compare Sewer Bonds, page 268.
426	Oct. 2, 1896	70,000	To buy land on Eddy St. adjoining City Yard.
482	April 20, 1897	320,000	For rebuilding Weybosset bridge and river walls.
556	May 6, 1898		Amends Chap. 482 by authorizing additional bridge work.
633	Feb'y 21, 1899		Amends Chap. 482 by authorizing construction of Mill St. bridge and the lay out of Exchange Place.
484	May 14, 1897	25,000	Central Fire Alarm system.
558	May 6, 1898	20,000	For placing fire alarm wires underground. Paid.
690	May 25, 1899	347,000	Johnston Annexation Debt.
799	June 13, 1900	200,000	For Central and other Fire Stations.
801	June 13, 1900	40,000	For Police Station 7th District.



## NORTH BURIAL GROUND.

### AN ACT IN RELATION TO THE NORTH BURIAL GROUND IN THE CITY OF PROVIDENCE.

### Chapter 367

of March 8, 1861.

#### SECTION

1. Any person may by deed or will constitute a trust fund, the income to be used for improvement of a burial lot or erection of a monument in the North Burial Ground.
2. Such property, after acceptance by city council, shall vest in commissioners of the North Burial Ground; *provided* such property shall be liable for debt of insolvent testator.

#### SECTION

3. The commissioners of the North Burial Ground shall expend surplus, after specific use, to general improvement of the North Burial Ground.
4. Commissioners shall keep regular accounts with each of such trusts, and report each year.
5. This act made subject to future action of general assembly.

*It is enacted by the General Assembly as follows :*

SECTION. 1. Any person may by deed or will give, bequeath, or devise to the commissioners for the time being of the North Burial Ground, in the city of Providence, and their successors in office, any property or estate, real or personal, to be applied to the improvement of any burial lot, or the construction of a monument or other structure for a memorial to the dead in said ground, or for the purpose of constituting a fund to be held in perpetual trust ; so that the income thereof may be applied continually for the preservation and care of any such burial lot or monumental structures therein, as in and by such deed or will may be directed or declared to be the object of the creation of such trust ; and it shall be lawful for the commissioners of said burial ground, for themselves and their successors in office, to accept a deed or devise of any burial lot or lots in said burial ground from any owners thereof, the same to be held by said commissioners and their successors in office, in trust for the purpose of burial of such persons only in such lot or lots as shall be designated and directed by the grantor in any deed or by the testator in any will.

Trust may be constituted for lots or monuments in the North Burial Ground.

Act of 1895, Ch. 1410.

Gifts to vest in the commissioners of the North Burial Ground.

SEC. 2. In every case of such gift, bequest, or devise, the property so given, bequeathed, or devised, shall, upon the execution of such deed, or upon probate of the will containing the same, and the acceptance thereof by the city council of the city of Providence hereinafter provided for, vest in the commissioners for the time being of said North Burial Ground, and shall pass from time to time to their successors in office, as the same are appointed and qualified, and shall not be subject to the general laws of descent or distribution: *provided*, that nothing in this act contained shall be construed to exempt any such estate or property so bequeathed or devised from being taken and applied for the payment of the debts of the person so settling the same, in case the other estate or property held by any such testator at the time of his decease shall be insufficient therefor, in the same manner as if this act had not been passed; *and provided also*, that no such deed or gift, devise or bequest, shall take effect until accepted by vote of the city council of said city of Providence.

Shall not be exempt from application to debts of an insolvent testator.

Surplus of income may be applied to the improvement of the North Burial Ground.

SEC. 3. If the value of any such gift, devise or bequest, or the annual income thereof, shall exceed the cost of the expenditures by said commissioners in the faithful execution of the conditions and directions for the use and appropriation thereof, the surplus, if any, shall be applied by said commissioners to the general improvement and preservation of the fences, avenues, trees, and shrubbery of said North Burial Ground.

Commissioners to keep accounts.

Act of 1889, Ch. 781, page 275.

To make statement to city council.

Act of 1865, Ch. 572

SEC. 4. Said commissioners shall keep regular accounts of the capital, income, and annual disbursements of each of said trust estates and property, and \* \* \* \*  
once in each and every year shall make a detailed statement of said accounts to the city council of said city at such time and in such form as said city council may from time to time prescribe, showing the amounts expended, and the balances remaining on hand of the several trust funds; \* \* \* but no emolument shall be paid to said commissioners for performing the duties contemplated by this act.

This act may be amended.

SEC. 5. This act shall be subject to all future acts of the general assembly in amendment or repeal thereof.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT IN RELATION TO THE NORTH BURIAL GROUND IN THE CITY OF PROVIDENCE" AND ALL ACTS IN AMENDMENT THEREOF AND IN ADDITION THERETO.

**Chapter 781**

of April 25, 1889.

SECTION

1. Commissioners of the North Burial Ground to pay over perpetual care funds to the commissioners of sinking funds; income how paid over.
2. Superintendent of the North Burial Ground to give bonds.

SECTION

3. Payments to be made to treasurer.
4. Chairman of committee of city council on North Burial Ground to be ex-officio a commissioner of the North Burial Ground.
5. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The commissioners of the North Burial Ground shall pay over or transfer to the commissioners of sinking funds of the city of Providence the perpetual care funds by them now held. And shall also pay over to said commissioners of sinking funds, upon the receipt thereof, such perpetual care funds as may hereafter come into their hands, possession, and control; and said funds so paid over or transferred, shall be invested and reinvested by said commissioners of sinking funds in their discretion, together with any unexpended income therefrom, and that said commissioners of sinking funds shall pay over to the commissioners of the North Burial Ground, whenever required by said commissioners of the North Burial Ground, all the income arising out of or from said invested funds.

Commissioners of North Burial Ground to pay over moneys to commissioners of sinking funds.

SEC. 2. The city council of the city of Providence is authorized and empowered to require the superintendent of the North Burial Ground to give bonds to the city of Providence, conditioned that he shall deposit all moneys received by him in his said capacity with the city treasurer of said city.

Superintendent of North Burial Ground to give bonds.

SEC. 3. All payments for the maintenance and improvement of the North Burial Ground shall hereafter be made by the city treasurer upon the approval of the bills therefor by the joint committee on North Burial Ground of the city council of said city, or the commissioners of the North Burial Ground, as may be directed by ordinance of the city council.

Payments to be made to city treasurer.

Chairman of committee on North Burial Ground to be a commissioner.

SEC. 4. The chairman of the joint standing committee of the city council on the North Burial Ground shall be ex-officio a commissioner of the North Burial Ground, and shall, together with the commissioners of the North Burial Ground elected by the city council of the city of Providence, compose the board of commissioners of the North Burial Ground.

Operative clause.

SEC. 5. This act shall go into effect on its passage; and all acts and parts of acts inconsistent herewith are hereby repealed.

## Chapter 499

of April 24, 1885.

### AN ACT AUTHORIZING THE BOARD OF ALDERMEN OF THE CITY OF PROVIDENCE TO APPOINT UNDERTAKERS.

#### SECTION

1. Board of aldermen to appoint undertakers; no others to act as undertaker for person dying within the city.

#### SECTION

2. Penalty for violation of the provisions of first section.
3. Operative clause.

*It is enacted by the General Assembly as follows :*

Board of aldermen to appoint undertakers; no others to act as undertaker for person dying within the city.

SECTION 1. The board of aldermen of the city of Providence shall appoint a sufficient number of persons to act as undertakers, removable at the pleasure of said board of aldermen; and no person, not a duly appointed undertaker by said board of aldermen, shall bury or deposit in a tomb, or remove for burial, the dead body of any human being, who shall have died within the limits of the city of Providence.

Penalty for violation of provisions of first section.

SEC. 2. Any person violating the provisions of this act shall be fined not exceeding twenty dollars for each offence, one half thereof to the use of said city of Providence, and one half thereof to the complainant.

Operative clause.

SEC. 3. This act shall take effect on and after its passage.

## PARKS.

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AN ACT IN AMENDMENT OF CHAPTER 598 OF THE STATUTES, ENTITLED "AN ACT TO REVISE, CONSOLIDATE AND AMEND THE ACT ENTITLED 'AN ACT TO INCORPORATE THE CITY OF PROVIDENCE,' AND THE SEVERAL ACTS IN ADDITION THERETO AND IN AMENDMENT THEREOF."

### Chapter 700

of May 30, 1878.

SECTION

1. City council may elect park commissioners.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city council of the city of Providence may appoint, by concurrent vote of the two branches thereof, one or more commissioners to superintend the maintenance and control of the public parks in said city, and by ordinance may prescribe the duties and fix the term of office of the commissioner or commissioners so appointed, and amend and change said ordinance from time to time; and also, may increase or diminish the number of commissioners by such concurrent vote.

City council may elect park commissioners.

SEC. 2. This act shall take effect immediately; and all acts and parts of acts inconsistent herewith are hereby repealed.

Operative clause.

**Chapter 425**

of Oct. 2, 1896.

AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO HIRE THE SUM OF ONE HUNDRED AND FIFTY THOUSAND DOLLARS, TO BE EXCLUSIVELY USED AND EXPENDED FOR THE COMPLETION OF THE WORK UPON ROGER WILLIAMS PARK AND BLACKSTONE PARK, INCLUDING THE CONSTRUCTION OF BRIDGES AND DRIVEWAYS IN SAID PARKS, AND ALSO FOR COMPLETING THE BLACKSTONE BOULEVARD PARKWAY.

SECTION

1. City authorized to borrow \$150,000 for certain parks and parkway.

SECTION

2. Sinking fund.  
3. Operative clause.

*It is enacted by the General Assembly as follows :*

City authorized to borrow \$150,000 for certain parks and parkway.

See Ch. 875, Sec. 1, page 279.

SECTION 1. The city of Providence is hereby authorized and empowered to hire the sum of one hundred and fifty thousand dollars, to be exclusively used and expended for the completion of the work upon Roger Williams Park and Blackstone Park, including the construction of bridges and driveways in said parks, and also for completing the Blackstone Boulevard Parkway, and to issue its notes and bonds, or either, therefor, for such time, and in such amounts, as may be fixed by the city council thereof.

Sinking fund.

SEC. 2. The city council shall annually appropriate, until said notes and bonds are paid in full, besides a sum to pay the interest thereon, a sum to be placed as a sinking fund, sufficient for the redemption of said notes and bonds when due, and all premiums arising from the sale of said notes and bonds shall be placed to the credit of said sinking fund.

Operative clause.

SEC. 3. This act shall take effect from and after its passage.



**Chapter 875**

of March 29, 1901.

AN ACT IN AMENDMENT OF CHAPTER 425 OF THE PUBLIC LAWS, PASSED OCTOBER 2, 1896, ENTITLED "AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO HIRE THE SUM OF ONE HUNDRED AND FIFTY THOUSAND DOLLARS, TO BE EXCLUSIVELY USED AND EXPENDED FOR THE COMPLETION OF THE WORK UPON ROGER WILLIAMS PARK AND BLACKSTONE PARK, INCLUDING THE CONSTRUCTION OF BRIDGES AND DRIVEWAYS IN SAID PARKS, AND ALSO FOR COMPLETING THE BLACKSTONE BOULEVARD PARKWAY."

SECTION

1. City authorized to buy land for Blackstone Park.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. Section one of Chapter 425 of the public laws, passed October 2, 1896, entitled "An act authorizing the city of Providence to hire the sum of one hundred and fifty thousand dollars, to be exclusively used and expended for the completion of the work upon Roger Williams Park and Blackstone Park, including the construction of bridges and driveways in said parks, and also for completing the Blackstone Boulevard Parkway," is hereby amended so as to read as follows :

Amends Ch. 425, Sec 1, page 278.

"SECTION 1. The city of Providence is hereby authorized and empowered to hire the sum of one hundred and fifty thousand dollars, to be exclusively used and expended for the completion of the work upon Roger Williams Park and Blackstone Park, including the construction of bridges and driveways in said parks, and also for completing the Blackstone Boulevard Parkway, and for the purchase of land for Blackstone Park, and to issue its notes and bonds, or either, therefor, for such time and in such amounts as may be fixed by the city council thereof."

City authorized to buy land for Blackstone park.

SEC. 2. This act shall take effect from and after its passage.

Operative clause.

## PLUMBING.

**Chapter 1444** AN ACT IN AMENDMENT OF CHAPTER 500 OF THE  
of May 30, 1895. PUBLIC LAWS, PASSED AT THE JANUARY SESSION,  
1885, ENTITLED "AN ACT AUTHORIZING THE CITY  
COUNCIL OF THE CITY OF PROVIDENCE TO MAKE  
ORDINANCES REGULATING THE DRAINAGE AND  
PLUMBING OF BUILDINGS WITHIN SAID CITY."

SECTION

1. Drainage and plumbing of buildings.

SECTION

2 Operative clause.

*It is enacted by the General Assembly as follows :*

Chap. 500 of 1885  
amended and super-  
seded.

SECTION 1. Section one of Chapter 500 of the public laws, passed at the January session, 1885, entitled "An act authorizing the city council of the city of Providence to make ordinances regulating the drainage and plumbing of buildings within said city," is hereby amended so as to read as follows :

Drainage and plumb-  
ing of buildings.

"SECTION 1. The city council of the city of Providence may make such ordinances, rules and regulations respecting the drainage and plumbing of all buildings hereafter erected in the city of Providence, and respecting any new or additional drainage and plumbing, and additions to and alterations of existing drainage and plumbing of all buildings heretofore or hereafter erected in said city, as said city council may deem necessary for the preservation of public health. Said city council may provide by ordinance that no building shall be erected in said city, and no such drainage and plumbing, additions and alterations, shall be constructed or made, unless the plans of such drainage and plumbing, additions or alterations, shall conform to said

ordinances, rules and regulations ; shall be filed in the office of the inspector hereinafter mentioned ; and shall be approved in writing by such inspector. Said city council may provide for the inspection of all drainage and plumbing in said city, create the office of inspector of plumbing, and fill it from time to time by the election in joint convention of such officer for such term as said city council shall by ordinance prescribe, not exceeding three years, and may fill any vacancy for the current or unexpired term. Said city council by ordinance may impose fines for the violation of any ordinance, rule or regulation made in accordance with this act, of not more than twenty dollars."

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed ; and this act shall take effect from and after its passage.

Operative clause.

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AN ACT IN AMENDMENT OF CHAPTER 500 OF THE PUBLIC LAWS, PASSED AT THE JANUARY SESSION, A. D. 1885, ENTITLED "AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF PROVIDENCE TO MAKE ORDINANCES REGULATING THE DRAINAGE AND PLUMBING OF BUILDINGS WITHIN SAID CITY," AS AMENDED BY CHAPTER 1444 OF THE PUBLIC LAWS, PASSED AT THE MAY SESSION, A. D. 1895.

**Chapter 368**

of May 15, 1896.

SECTION

1. Assistant inspectors of plumbing.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The inspector of plumbing of the city of Providence, elected by authority of Chapter 500 of the public laws, passed at the January session, A. D. 1885, entitled "An act authorizing the city council of the city of Providence to make ordinances regulating the drainage and plumbing of buildings within said city," and of Chapter 1444 of the public laws, passed at the May session, A. D. 1895, as soon as may be after the passage of this act, and

Assistant inspectors of plumbing.

thereafter annually in the month of January, may appoint, subject to the approval of the board of aldermen of said city, one or more assistant inspectors of plumbing, as said city council shall from time to time by ordinance determine. Such assistant inspectors shall hold their respective offices during the current municipal year, or until their successors are appointed and duly qualified: *provided*, that said inspector of plumbing, at his pleasure, may remove any such assistant inspector from office at any time, subject to the approval of said board of aldermen, and a vacancy from any cause may be filled at any time for the unexpired term in the same manner as the original appointment. Such assistant inspector or inspectors shall perform such duties relating to the execution of the provisions of said Chapters 500 and 1444, as said inspector of plumbing shall from time to time direct; and in case of the absence or disability from any cause of said inspector of plumbing, any assistant inspector designated by said inspector shall exercise all the powers and be subject to all the duties of said inspector. Such assistant inspector or inspectors shall receive such salaries, respectively, for their services as said city council may by ordinance prescribe.

Operative clause.

SEC. 2. This act shall take effect from and after its passage.

## PUBLIC ADMINISTRATOR.

AN ACT PROVIDING FOR THE APPOINTMENT OF A  
PUBLIC ADMINISTRATOR IN THE CITY OF PROVIDENCE.

**Chapter 567**

of June 2, 1876.

### SECTION

1. City council may appoint a public administrator.
2. Public administrator to act in what cases.
3. Not to be appointed within thirty days after death of the intestate.
4. Powers of, to cease if husband, wife or next of kin request special administration.
5. To surrender administration if a will of the deceased be probated.
6. To give bond in usual form.
7. May be licensed to sell real estate. To administer estate, and render account, as in ordinary cases, except as herein provided otherwise.
8. To deposit balance of estate with city treasurer.

### SECTION

9. To render yearly account. If balance remain on final settlement, the municipal court to certify same to city treasurer. To be paid to city treasurer in thirty days, or city treasurer to institute suit on administrator's bond.
10. City treasurer to hold property under this act for what uses.
11. Upon the disability of the public administrator, municipal court to appoint administrator de bonis non, on application of city treasurer.
12. City council to fill vacancy in office of public administrator.
13. City treasurer to prosecute public administrator, if delinquent, and there be no heir.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city council of the city of Providence may appoint some suitable person, being an inhabitant of said city, to be public administrator therein ; and the person so appointed shall hold his office during the pleasure of the city council.

City council may appoint a public administrator.

SEC. 2. Such administrator shall take out letters of administration and faithfully administer upon the estate of any person who dies intestate within the city of Providence or elsewhere, leaving property in the said city to be administered, such person at the time of his decease not being an inhabitant or resident of any other town in this state, and

Public administrator to act in what cases.

not leaving a known husband, widow, or next of kin, which fact shall be established by proof satisfactory to the municipal court of the city of Providence.

Not to administer within thirty days.

SEC. 3. Administration shall not be granted to a public administrator within thirty days next after the decease of such intestate.

Powers to cease, if husband, wife or next of kin request special administration.

SEC. 4. After granting letters of administration to a public administrator, and before the final settlement of the estate, if the husband, widow, or any next of kin, of the deceased, in writing claims the right of administration, or requests the appointment of some other suitable person to the trust, the municipal court in the city of Providence shall grant letters of administration accordingly. Upon the appointment of a successor and his giving the bond required, the powers of the public administrator over the estate shall cease.

To surrender administration if a will of the deceased be probated.

SEC. 5. Such public administrator shall deliver into the municipal court his letters of administration upon the estate of any person deceased, if a will of such person is thereafter allowed and proved. Upon the appointment of an executor or administrator as his successor in any case, he shall surrender his letters of administration into the municipal court with an account upon oath of his doings thereon; and upon the allowance of his account by the municipal court, shall pay over and deliver to his successor all sums of money in his hands, and all property, effects and credits of the deceased not administered.

To give bond in usual form.

SEC. 6. Such public administrator shall give bond to the municipal court for the faithful performance of his duties, in like manner as required of other administrators, with the further condition to comply with the provisions of the preceding section.

May be licensed to sell real estate.

SEC. 7. Such public administrator may be licensed to sell real estate for the payment of debts, and shall administer estates and render his account, in the same manner as other administrators, except as herein otherwise provided.

To render account in usual form.

SEC. 8. When an estate has been fully administered by such public administrator, and the debts paid according to law, he shall deposit the balance of such estate remaining

To deposit balance of estate with city treasurer.



in his hands with the treasurer of the city of Providence, who shall receive and hold it for the benefit of those who may have lawful claims thereon.

SEC. 9. Such public administrator shall render an account of his proceedings to the municipal court of said city, at least once in each year, until the trust has been fulfilled. And when, upon a final settlement of any estate, it appears that moneys remain in the hands of such administrator, which by law should have been deposited with the city treasurer, the municipal court shall certify that fact and the statement of the amount to said treasurer who, unless such deposit is made within thirty days after the receipt of such notice, shall cause the bond of the administrator to be prosecuted for the recovery thereof.

To render yearly account.

If balance remain on final settlement, the municipal court to certify the same to city treasurer.

To be paid to city treasurer in thirty days.

SEC. 10. All money or other property received by the city treasurer of the city of Providence under the provisions of this act, shall be held for the same uses as provided by Chapter 177 of the General Statutes.

City treasurer is to hold the money, for what uses.

SEC. 11. Upon the death, resignation or other disqualification of a public administrator, leaving an estate or estates not fully administered, it shall be the duty of the municipal court, upon application of the city treasurer, to appoint some suitable person to have the charge and care of the personal estate not administered, to hold the same until a successor to such deceased, resigned or disqualified public administrator, shall be duly appointed, to whom the municipal court shall grant letters of administration de bonis non upon his giving the required bond.

Upon disability of public administrator, municipal court to appoint an administrator de bonis non on application of the city treasurer.

SEC. 12. Upon the death, resignation or other disqualification of a public administrator, the city council shall fill the vacancy forthwith.

City council to fill vacancy.

SEC. 13. When a public administrator neglects to return an inventory, settle an account, or perform any other duty incumbent upon him, and there appears no heir entitled thereto, the city treasurer shall, in behalf of the said city of Providence, prosecute all suits and do all acts necessary and proper to ensure a prompt and faithful administration of the estate, and the payment of the proceeds thereof into the treasury.

City treasurer is to prosecute public administrator, if delinquent, and there be no heir.

## RELIEF OF CERTAIN OFFICERS.

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### Chapter 782

of Mar. 14, 1889.

AN ACT TO AUTHORIZE THE CITY OF PROVIDENCE  
TO MAKE ANNUAL APPROPRIATIONS FOR THE RE-  
LIEF OF DISABLED FIREMEN AND POLICEMEN.

SECTION

1. City council may make annual appropriations for relief of disabled firemen and policemen; relief of dependents.

SECTION

2. Operative clause.

*It is enacted by the General Assembly as follows :*

City council may make annual appropriation for disabled firemen and policemen.

Relief of dependents.

Operative clause

SECTION 1. The city council of the city of Providence is authorized and empowered to appropriate annually a sum not exceeding three thousand dollars to be applied in such amounts and upon such conditions as said city council may by ordinance prescribe for the relief of firemen and policemen, who may be permanently injured and disabled while in the performance of duty as such, and for the relief of dependents of firemen and policemen, who may, while in the performance of duty as such, be killed or die from the effects of any injury thus received, or of any disease thus contracted.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed; and this act shall take effect upon its passage.

AN ACT IN AMENDMENT OF CHAPTER 508 OF THE STATUTES ENTITLED "AN ACT TO REVISE, CONSOLIDATE AND AMEND THE ACT ENTITLED 'AN ACT TO INCORPORATE THE CITY OF PROVIDENCE' AND THE SEVERAL ACTS IN ADDITION THERETO AND IN AMENDMENT THEREOF."

**Chapter 1232**

of May 16, 1893.

SECTION

1. City council may create and disburse a pension fund for firemen and policemen who may be disabled while in the line of their duty.

SECTION

2. Operative clause

*It is enacted by the General Assembly as follows :*

SECTION 1. The city council of the city of Providence is hereby authorized and empowered to create and disburse a pension fund or funds for members of the police and fire departments of said city who may be disabled while in the line of their duty.

City council may create and disburse a pension fund for firemen and policemen who may be disabled while in the line of their duty.

SEC. 2. This act shall take effect from and after its passage.

Operative clause.

AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF PROVIDENCE TO MAKE APPROPRIATIONS FOR THE RELIEF OF INJURED OR DISABLED FIREMEN AND POLICEMEN.

**Chapter 372**

of April 16, 1896.

SECTION

1. City council may appropriate money for the relief of firemen or policemen injured or disabled while in the actual discharge of duty :

SECTION

amounts and conditions to be prescribed by city council.  
2. Operative clause.

*It is enacted by the General Assembly as follows :*

SECTION 1. The city council of the city of Providence is hereby authorized and empowered to appropriate such amounts of money as said city council may from time to time determine, to be applied to the relief of such firemen and policemen as shall be injured or disabled while in the actual discharge of duty as such firemen or policemen, in such amounts and upon such conditions as the city council may by ordinance prescribe.

City council may appropriate money for the relief of firemen or policemen injured or disabled while in the actual discharge of duty.

SEC. 2. This act shall take effect from and after its passage.

Operative clause.



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# LIST OF ACTS OF THE GENERAL ASSEMBLY

RELATING TO THE  
CITY OF PROVIDENCE,

FROM

1797 to 1901.

ACT OF.	CHAP- TER.	SUBJECT MATTER AND DISPOSITION.
1797, May	4. . . . .	Low Grounds. Repealed by Chap. 872 of March 12, 1901.
1802, June.	. . . . .	Gunpowder. Repealed by Sec. 19, page 66.
1817, Oct.	31. . . . .	Low Grounds. Repealed by Chap. 872 of March 12, 1901.
1817, Oct.	31. . . . .	Buildings. Repealed by Act of November, 1843.
1805, Feb.	26. . . . .	Storage of Lime. See page 67.
1815, June	23. . . . .	Disturbance of Public Worship. Repealed by Chap. 872 of March 12, 1901.
1815, Nov.	3. . . . .	Limits and preservation of the Harbor. See page 212.
1821, Oct.	30. . . . .	Gunpowder. See page 60.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1821, Nov.	3. ....	Sidewalks. See page 43.
1822, Jan.	22. ....	Certain Private Ways. See page 238.
1823, Oct.	29. ....	Sidewalks. See page 44.
1826, Nov.	1. ....	Repealed by Sec. 3, page 72.
1829, Jan.	.....	Highways. See Sec. 5, page 241.
1830, June	25. ....	Harbor Master. Repealed by Sec. 2, page 218.
1831, Nov.	2. ....	Piling of Lumber. See page 67.
1831, Nov.	4. ....	Original Charter. Superseded by Chap. 598 of March 8, 1866.
1833, June	29. ....	Inspector of Beef and Pork. See page 234.
1833, Nov.	2. ....	House of Correction. See page 52.
1834, Oct.	.....	Repealed by Sec. 3, page 72.
1837, Jan.	21. ....	Harbor Flats. See page 214.
1840, Jan.	.....	House of Correction. Superseded by Act of Jan. 1844.
1841, Jan.	18. ....	Sidewalks. See page 45.
1841, Oct.	27. ....	Wharves and Streets in the Cove. See page 215.
1842, Jan.	.....	Repealed by Sec. 3, page 72.
1843, Jan.	12. ....	Layout of Highways. See page 240.
1843, Feb.	4. ....	Ferries. See page 211.
1843, Oct.	.....	House of Correction. See Sec. 15, page 57.
1843, Nov.	.....	Steam Boilers. See page 85.
1844, Jan.	.....	Supersedes Act of January, 1840, and restores Sec. 7, page 53.



ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1845, Jan.	16. ....	Animals at large. See page 57.
1845, Jan.	16. ....	Watchmen and Special Constables. See page 47.
1845, May	9. ....	Grants to Railroads in Cove. See page 216.
1845, June	25. ....	Buildings. Superseded by Chap. 688 of 1878.
1846, Jan.	16. ....	Buildings. Superseded by Sec. 32, page 113.
1847, June	25. ....	Cotton Waste. See page 59.
1848, Jan.	11. ....	Re-lay of High Street. Obsolete.
1848, Jan.	18. ....	Ferries. See page 211.
1848, May	4. ....	Grants to Railroads. See page 217.
1851, Feb.	7. ....	Police Constables. Repealed by Act of June 1, 1855.
1851, Oct.	.....	Harbor Line. Repealed by Chap. 758, of April 10, 1879.
1853, Jan.	17. ....	Sale of Junk. Repealed by Chap. 871, of Mar. 8, 1901.
1853, June.	.....	Repealed by Sec. 3, page 72.
1854, Feb.	22. ....	Highway Betterment Act. See page 245.
1854, Feb.	24. ....	Removal of Buildings into adjoining Towns.
1855, March	3. ....	Harbor Line from Dorrance Street Wharf to Sassafras Point. See page 219.
1855, May.	.....	Port Wardens. See page 226.
1855, June	1. ....	Police Constables. Repealed by Chap. 823, of May 27, 1880.
1855, June	15. ....	City Debt Bonded. See page 271.
1855, June	15. ....	Sanitary Condition of Dwellings. Repealed by Chap. 872, of March 12, 1901.

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1856, March 4.	.....	Harbor Line on East Side. Repealed by Chap. 758 of April 10, 1879.
1857, Feb. 12.	.....	Intention to Build. Obsolete. See Chap. 1406, page 120.
1858, Feb. 11.	261	Abandonment of certain Highways. See page 239.
1858, Feb. 19.	263	Railroad Grants to be submitted to the People. Repealed by Chap. 975 of April 11, 1872.
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1859, March 3.	.....	School Committee. Obsolete. See pages 76, 77.
1859, March 11.	.....	Drawbridge at India Point. Superseded by Chap. 759, of 1868.
1859, March 11.	.....	Harbor Master. See page 218.
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1861, March 8.	367	North Burial Ground. See page 273.
1862, Jan. 28.	406	Highways on request of City Council. See page 242.
1862, Sept. 6.	441	War Bonds. See page 271.
1863, Feb. 6.	466	North Burial Ground. Superseded by Sec. 1, page 275.
1863, March 14.	458	Animals "going at large." See page 58.
1865, Jan. 31.	557	Harbor Line from Fox Point to India Point. See page 219.
1865, March 15.	562	House of Correction. Repealed by General Statutes, of 1872.
1865, March 16.	572	North Burial Ground. See Sec. 4, page 274.
1865, March 17.	580	Health. Repealed by Chap. 495 of 1885. See 16th R. I. Reports, page 196.

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1866, Feb. 6.	636	Surety for costs not required. See page 47.
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1866, March 8.	640	Water Supply. See pages 34, 267.
1866, March 9.	610	Superseded by Chap. 770 of 1868.
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1867, May 30.	699	Election of City Council. Repealed by General Statutes, of 1872.
1868, March 5.	719	Powers of City Council, see page 2. Section 3, repealed by Chap. 371 of 1896.
1868, March 12.	735	Collection of Taxes, obsolete by Chap. 922 of March 24, 1871. Deputy City Treasurer, see page 6.
1868, March 12.	739	Registration of Bonds. See pages 20, 271.
1868, March 25.	755	House of Correction. Repealed by Chap. 686 of April 12, 1878.
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1868, June 10.	772	Point Street Bridge. See pages 39, 271.
1869, March 9.	783	Annexation of a portion of Cranston.
1869, March 12.	784	Water Commissioners, obsolete. Water Bonds, see page 267.
1869, March 24.	791	Witnesses before Committees. Superseded by General Laws, Chap. 244, Sec. 6.

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1870, June 16.	880	Point Street Bridge. See page 40.
1871, Jan. 24.	897	Land for Water Works. See pages 38, 267.
1871, Feb. 24.	900	Crawford Street Bridge.
1871, March 23.	942	Superintendent of Public Buildings. See page 6. Rest of Act is Repealed.
1871, March 24.	921	Highway Betterment Act. See page 253.
1871, March 24.	922	Collection of Taxes. See page 5.
1871, March 24.	931	Drains and Sewers. Obsolete.
1871, March 24.	941	Immediate Suit on Water Bonds. See page 267.
1872, Jan. 25.	967	Water Bonds payable in Gold. See page 267.
1872, Jan. 26.	965	Special Commissions for Public Works. Obsolete.
1872, Jan. 31.	966	Highway Officers. Obsolete. See Sec. 10, page 31.
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1872, April 11.	.....	Bonds of Springfield R. R. Co. See page 271.
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1872, April 19.	984	Fence Viewers. Repealed by Chap. 872 of 1901.
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1872, April 26.	993	Board of Aldermen may build sewers through Private Land. Obsolete.
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1873, Feb. 21.	309	Member of School Committee must reside in Ward. See Sec. 1, page 75.
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1873, March 14.	311	Date of Organization of City Government. Obsolete except as to provisions incorporated in City Charter. See Clause 1, page 3; Clauses 1 and 5, page 4.
1873, March 27.	312	Fireworks. Repealed by Sec. 6, page 60.
1873, March 28.	313	Board of Public Works. Superseded by Chap. 815 of 1880.
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1873, March 28.	315	Land devised by Betsey Williams annexed to City of Providence.
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1873, May 30.	334	Water Supply. Obsolete.
1873, May 30.	335	Point Street Bridge. Superseded by Chap. 354 of 1883.
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1876, April 20.	553	West Burial Ground. Obsolete.
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1876, June 14.	574	City Election. Repealed by Chap. 402 of 1896.
1877, March 30.	616	Swill and House Offal. See page 232.
1877, March 30.	617	Steam Boilers. See Sec. 7, page 85.
1877, March 30.	619	Highway Betterment Act. Repealed by Public Statutes of 1882.
1877, May 31.	635	Sewer Assessments. Obsolete.
1877, June 1.	.....	Harbor Line in Seekonk River.
1877, June 1.	639	Permanent Salary Ordinance. Superseded by Chap. 1334 of 1894.
1878, April 8.	.....	Harbor Line in Seekonk River.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1878, April 10.	666	Municipal Indebtedness. See page 265.
1878, April 12.	685	Constables. See page 69.
1878, April 12.	686	House of Correction. Penalty for indecent intoxication. See Sec. 13, page 56.
1878, April 12.	687	City Hall, High School and Cove Basin Loan. See page 271.
1878, April 12.	688	Building Law. See page 88.
1878, April 27.	696	Harbor Line from Crawford Street to Point Street Bridge.
1878, May 30.	700	Park Commissioners. See page 277.
1878, May 30.	701	Bonds for balance of indebtedness. See page 271.
1878, May 31.	711	Sewer Assessments. See Sec. 5, page 29.
1878, June 20.	721	Commissioners of Sidewalks. Obsolete.
1879, March 4.	738	North Providence Annexation.
1879, March 10.	744	Board of Aldermen President pro tempore, page 4. Return of veto by Mayor, page 8. New elections, page 18. Vouchers, page 13.
1879, April 10.	758	Harbor Line from Crawford Street Bridge to Fox Point.
1879, April 10.	759	Harbor Line near India Point.
1879, April 11.	771	Harbor Line from Crawford Street Bridge to Point Street Bridge.
1879, Nov. 8.	788	Tenth Ward Voting Districts. Obsolete. See pages 146, 147.
1880, April 8.	804	Electric Wires. See page 10.
1880, April 15.	815	Department of Public Works. See pages 26-31.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1880, April 16.	817	Reform School transferred to State.
1880, April 16.	818	North Providence Annexation.
1880, April 16.	819	Harbor Line near Sassafra and Field's Points.
1880, May 27.	823	Police Constables and City Watchmen. See page 46.
1881, April 19.	856	Ordinances how amended or repealed. See page 13.
1881, April 22.	867	Appeals from Police Court to Municipal Court. Repealed by Chap. 371 of 1896.
1881, April 28.	.....	Harbor Line, Field's Point to Rock Island.
1881, June 3.	899	Sewer Assessments. See page 32.
1882, March 1.	.....	Providence and Springfield R. R. Co.
1882, March 9.	267	Field Burial Ground.
1882, March 22.	273	Harbor Improvement. See page 271.
1882, March 24.	281	City may sell Land in Brook Street District.
1882, March 31.	288	Highway Betterment Act. See page 256.
1882, April 14.	297	Each Board of City Council may make Rules, judge of Elections, and order new Elections. See page 7.
1882, April 21.	322	Grade for platted Streets or Ways. See page 242.
1882, April 21.	323	City may borrow money for payment of State Tax. See pages 21, 271.
1882, June 2.	.....	Appropriation for Gen. Burnside Statue.
1883, March 7.	.....	Harbor Line on West Side of Seekonk River.
1883, March 28.	349	Washington Bridge. See pages 41, 271.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1883, March 29.	354	Lounging on Bridges. See page 10.
1883, April 10.	359	Superseded by Chap. 367 of May 14, 1896.
1883, April 12.	365	Harbor Line from Point Street Bridge to Henderson Street.
1883, June 1.	384	Sewer Bonds. See page 268.
1884, Feb. 15.	388	Appropriation for Washington Bridge. See p. 271.
1884, May 1.	422	Land for Railroad Terminal Facilities. Expired.
1884, May 2.	431	City may take Proprietors' Burial Ground for a Public Park.
1884, May 29.	444	Board of Public Works. Obsolete.
1884, May 29.	449	Commissioners on Washington Bridge.
1885, Feb. 12.	.....	Time extended for subscription of Stock of Providence and Springfield R. R. Co. Expired.
1885, April 10.	476	Harbor Line between Fox Point and Railroad Bridge at India Point. See page 220.
1885, April 23.	495	Superseded by General Laws of 1896, Chap. 91.
1885, April 24.	499	Undertakers. See page 276.
1885, April 24.	500	Drainage and plumbing of Buildings. Superseded by Chap. 1444 of May 30, 1895.
1885, April 24.	501	Board of Aldermen may make Regulations governing Bootblacks, Newsboys and Venders. See page 68.
1885, April 24.	502	Tenement and Lodging Houses, how to be constructed and conducted. See Sec. 28, page 110.
1885, April 24.	518	Channel to be dredged in Seekonk River, defined.
1885, May 28	520	Fireworks. Repeals Chap. 312 of 1873. See page 59.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1885, May 29.	528	Deputy Recorder of Deeds. See page 5.
1885, May 29.	529	Election of a Member of the Board of Public Works. Obsolete.
1885, May 29.	530	Department of Public Works. See page 28.
1886, Feb. 12.	540	Appropriation for the 250th Anniversary of the Town of Providence.
1886, March 11.	552	Repealing-clause of Chap. 354 of 1883. Obsolete.
1886, April 30.	575	Public Market. Expired.
1886, April 30.	577	Water bonds. See page 267.
1886, April 30.	585	Election of Assessor of Taxes annually in February. See page 5.
1886, April 30.	587	Board of Aldermen on request of City Council to appoint disinterested men to mark out highways. See page 243.
1887, Feb. 8.	611	Appropriation for Doyle Monument.
1887, April 19.	628	Commission to divide City into Wards. Obsolete. See Chap. 798 of 1900.
1887, May 6.	638	Intemperance. See note, page 56.
1887, May 6.	652	Washington Bridge. See page 271.
1887, May 6.	653	Annexation of a portion of Cranston.
1887, May 6.	654	School Committee. Superseded by Chap. 778 of 1889.
1887, June 3.	658	Highway Loan. See page 268.
1888, Feb. 28.	670	To place City Wires underground. See page 271.
1888, March 22.	707	Land for Sewerage Purposes. Expired.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1888, March 23.	677	Office of Commissioner of Public Works created See pages 26 and 27.
1888, March 23.	680	Tockwotton Park.
1888, March 23.	683	Ward Meetings. Repealed by General Laws.
1888, May 31.	722	To fill Cove Basin See page 271.
1889, March 14.	778	School Committee. See page 76.
1889, March 14.	782	Relief of Disabled Firemen and Policemen. See page 286.
1889, March 29.	775	Judge of Municipal Court. Repealed by Chap. 371 of 1896.
1889, April 24.	779	Judge of Police Court. Obsolete.
1889, April 25.	776	Chief of Police, see page 11; Chief of Fire De- partment, obsolete by Chap. 1100 of 1892.
1889, April 25.	777	To compel Sewerage Connections. See page 235.
1889, April 25.	781	North Burial Ground. See page 275.
1889, April 26.	780	Superintendent of Health. See page 233.
1889, May 31.	813	Commissioner of Public Works may employ a Sec- retary. See page 28.
1890, March 11.	875	Washington Bridge Claims. See page 271.
1890, March 11.	876	Land for Tockwotton Park.
1890, March 28.	868	Railroad Passenger Station and Approaches.
1890, April 25.	873	To purchase Thomas Davis Estate. See page 272.
1890, May 1.	869	Mayor to appoint Commissioner of Public Works. See pages 27, 28.
1890, May 2.	870	Highway Loan. See page 268.



ACT OF.	CHAPTER.	SUBJECT MATTER, AND DISPOSITION.
1890, May 2.	871	Annual Appropriation for Rhode Island Hospital. See page 236.
1890, May 2.	872	To cause Electric Wires to be placed Underground. Superseded by Act of May 19, 1892, page 203.
1890, May 2.	874	School Committee to fill a Vacancy. Obsolete.
1890, May 30.	913	To purchase Site for State House. See page 272.
1890, May 30.	914	Harbor Line from Fox Point to Railroad Bridge. See page 221.
1890, June 19.	915	Wardens and Clerks, Mayor may appoint. Repealed by Chap. 798 of 1900, page 135.
1891, March 24.	946	Hopkins Burial Ground for Park purposes.
1891, April 14.	944	Loan for School-houses and Lots. See page 269.
1891, April 30.	941	Highway Loan. See page 268.
1891, April 30.	942	Sewer bonds. Amends Chaps. 433 of 1875, and 384 of 1883. See page 268.
1891, April 30.	943	To borrow \$500,000 for Parks. See page 270.
1891, April 30.	945	Water Bonds. See page 267.
1891, May 28.	993	Park Loan. Amends Chap. 943. See page 270.
1891, May 28.	994	Highway Loan. See page 268.
1891, May 28.	995	School Loan. Amends Chap. 944. See page 269.
1891, May 29.	975	Act authorizing Cities and Towns to grant Franchises in Highways. See page 178.
1891, May 29.	996	School Committee. See page 76.
1891, May 29.	997	To build a Retaining Wall from Hill's Wharf to Sassafas Point. See pages 224, 272.

ACT OF.	CHAPTER.	SUBJECT MATTER, AND DISPOSITION.
1891, May 29.	998	To condemn Land for Fenner Park.
1891, May 29.	999	Johnston Boundary Line.
1891, July 24.	1018	Land for Roger Williams Park. See page 270.
1891, Aug. 4.	.....	Resolution ordering Special Election for Senator.
1892, March 8.	1041	Abandonment of Passenger Station.
1892, March 16.	1096	Harbor Line, Fox Point to India Point. See page 222.
1892, April 21.	1103	School Committee, when to organize. See page 77.
1892, April 29.	1102	Trees in Public Highways. See page 259.
1892, May 3.	.....	Franchise Act of Union Railroad Co. See page 181.
1892, May 19.	.....	Franchise Act of Narragansett Electric Lighting Co. See page 203.
1892, May 21.	1100	Fire Commissioners created. See page 72.
1892, May 21.	1101	City Council to define Grade of Private Ways or Streets. Repealed by Chap. 1238 of 1893.
1892, June 3.	1139	Loan for Central Police Station. See page 272
1892, July 1.	1140	Annexing that portion of Cranston taken for Park Purposes.
1892, Oct. 7.	1157	Appropriation for Columbus Day.
1893, March 2.	1226	Water Bonds. See page 267.
1893, March 2.	1227	Highway Loan. See page 268.
1893, March 2.	1231	Sewer Bonds. See page 268.
1893, March 7.	1229	Davis Park Loan. See page 270.
1893, March 15.	1237	Act of Recorder of Deeds Validated.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1893, March 22.	1235	Filling of Cove Basin. Amends Chap. 722 of 1888. See page 272.
1893, April 19.	1230	Loan for Roger Williams and Blackstone Parks. See page 270.
1893, April 28.	1228	School Loan. See page 269.
1893, May 3.	1234	City Treasurer may issue Bonds, when. See page 22.
1893, May 4.	1236	To regulate the use of certain portions of Highways (Elmwood Ave). See page 260.
1893, May 4.	1239	Exemption of certain Corporations from Sewer assessments. See page 32.
1893, May 16.	1232	Pension Fund for Policemen and Firemen. See page 287.
1893, May 16.	1238	Repeals Chap. 1101.
1893, May 17.	.....	Providence Cable Tramway Co. may use Electricity as a Motive Power. See page 190.
1893, May 23.	.....	Act requiring Providence Cable Tramway Co., and Union R. R. Co. to make payments to City, and in addition and amendment of Franchise Act. See page 187.
1893, May 25.	1233	Additional Loan for Central Police Station. See page 272.
1894, March 28.	1292	Statue of Ebenezer Knight Dexter.
1894, April 13.	1290	Bonds to be paid in Gold. See page 22.
1894, May 1.	1291	Loan to buy Land for Parks. See page 270.
1894, May 11.	1293	Commissioner of Public Works to sprinkle Streets. Repealed by Chap. 1338 of 1894.
1894, May 30.	1333	Appropriation for Dedication of Statue of Ebenezer Knight Dexter.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1894 June 12.	1332	City to build Red Bridge. See pages 42, 272.
1894, June 12.	1335	Wardens and Clerks. Repealed by Chap. 798 of 1900.
1894, June 12.	1336	Commissioner of Public Works to build Sewer Connections inside Curb Line. See page 33.
1894, June 12,	1338	Repeals Chap. 1293 relative to Watering Streets.
1894, June 13.	1334	Salaries of City Officers. See pages 11 and 12.
1894, June 13.	1337	Streets to be watered, when, and expense to be assessed on Abutting Owners. See page 261.
1894, June 13.	1339	Building Law. Sec. 1, see Sec. 2, page 89. *Sec. 2, see Sec. 4, page 90. Sec. 3, see Sec. 8, page 92. Sec. 4, see Sec. 20, page 102. Sec. 5, see Sec. 23, page 107. Sec. 6, see Sec. 34, page 117. Sec. 7, amended by Chap. 1411, Sec. 1. Sec. 8, amended by Chap. 1411, Sec. 2.
1895, Feb. 20.	1400	Loan for School-houses and Lots. See page 269.
1895, Feb. 26.	1399	Highway Loan. See page 268.
1895, Feb. 28.	1402	Land for School Purposes. See pages 79, 269.
1895, Feb. 28.	1404	City Hall and Sewer Loan. See pages 268, 272.
1895, Feb. 28.	1405	Board of Canvassers and Registration created. Superseded by Chap. 8 of the General Laws, Secs. 22 to 27 inclusive. See pages 129-131.
1895, March 1.	1408	To contract with the R. I. Hospital for a Hospital for Contagious Diseases. See page 236.
1895, April 11.	1403	To make new Contracts with Union R. R. Co. in re Transfer Tickets. See page 191.
1895, April 23.	1407	Of cases of neglect to connect with Sewers on Sewered Streets. See page 235.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1895, May 17.	1406	Building Law amended. See page 120.
1895, May 17.	1411	Building Law. Sec.1, superseded by Chap. 483. Sec. 2, see Sec. 36, page 118.
1895, May 22.	1398	Brown University to build a Conduit with consent of City Council.
1895, May 22.	1401	Loan for Park Purposes. See page 270.
1895, May 22.	1409	To condemn Land for Park Purposes. See page 270.
1895, May 25.	1410	Bequests to North Burial Ground. See page 273.
1895, May 30.	1444	Drainage and Plumbing of Buildings. See page 280.
1896, April 16.	372	Relief of Disabled Firemen and Policemen. See page 287.
1896, April 24.	364	To hire money for building School-houses and buying Land therefor. See page 269.
1896, April 28.	365	Improvement of Davis Park. See page 270.
1896, May 7.	373	Union R. R. Co. to establish a system of Free Transfers, when. See page 193.
1896, May 13.	371	Municipal Court and Police Court. See pages 14-17.
1896, May 14.	363	Board of Canvassers made a Returning Board in Municipal Elections. See page 131.
1896, May 14.	366	Admiral Hopkins Statue.
1896, May 14.	367	Inspector of Buildings. See Sec. 6, page 91.
1896, May 14.	369	Highway Betterment Act. See page 257.
1896, May 15.	368	Assistant Inspectors of Plumbing. See page 281.
1896, May 28.	402	Date of Municipal Election. See pages 17, 18.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1896, Oct. 1.	435	Silver Spring B. & D. Co. to build a Conduit with consent of City Council.
1896, Oct. 2.	418	Widening of Smith and Francis Streets.
1896, Oct. 2.	420	Powers of School Committee. See page 77.
1896, Oct. 2.	424	Harbor Line defined between Fox Point and Railroad Bridge. See page 223.
1896, Oct. 2.	425	To hire money for Roger Williams and Blackstone Parks. See pages 270, 278.
1896, Oct. 2.	426	To hire money to buy Land adjoining City Yard. See page 272.
1896, Oct. 2.	427	To hire money to build a Casino at Roger Williams Park. See page 270.
1897, Feb. 4.	480	Act relative to Dorrance Street Wharf. See page 225.
1897, Feb. 5.	481	Use of Unexpended Balances of Appropriations. See page 23.
1897, April 20.	482	To hire money for building Weybosset Bridge and River Walls. See page 272.
1897, April 30.	478	Comfort Street closed.
1897, May 4.	483	Building Law amended. See Sec. 35, page 117.
1897, May 14.	484	To hire money for Central Fire Alarm System. See page 272.
1897, May 18.	453	City Council to fix Fees of Dog Officers.
1897, May 21.	474	Fees for Licenses and Commissions. See page 23.
1897, May 21.	485	School Teachers' Retirement Fund. See page 82.
1897, May 27.	510	To hire \$300,000 annually for School-houses and Lots. See pages 82, 269.



ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1897, May 27.	511	Claim of Heirs of Thomas Ruona.
1898, Feb. 16.	525	To hire money for furnishing Casino at Roger Williams Park. See page 270.
1898, March 4.	526	To supply Schools with Sanitary Furnishings. Expired.
1898, May 6.	549	Duties and Fees of City Registrar.
1898, May 6.	555	Combustible Materials in Buildings. See page 73.
1898, May 6.	556	Weybosset Bridge Act amended. See page 272.
1898, May 6.	557	To issue Licenses for the sale of certain articles. Repealed by Chap. 846 of Mar. 28, 1901, page 49.
1898, May 6.	558	To place Fire Alarm Wires Underground. See page 272.
1898, May 6.	559	Red Bridge. In addition to Chap. 1332 of June 12, 1894. Appeal and procedure.
1898, May 6.	562	Annexing a portion of Johnston.
1898, June 2.	593	School Committee may educate Children at Normal School. See page 78.
1898, June 15.	580	An Act providing for a Tax on Street Railways. See page 197.
1898, June 15.	586	Parcel of Land liable only for its own Tax.
1898, June 15.	587	Attendance of Children in Public Schools. See page 79.
1898, June 15.	596	Johnston Annexation, Probate Matters in. Amends Chap. 562 of May 6, 1898.
1898, June 15.	597	Records, etc., of annexed Johnston Territory. Amends Chap. 562 of May 6, 1898.
1899, Feb. 17.	632	City may regulate use of Sewers. See page 34.

ACT OF.	CHAPTER.	SUBJECT MATTER, AND DISPOSITION.
1899, Feb. 21.	607	Right of way for Ambulances. See page 49.
1899, Feb. 21.	633	Weybosset Bridge Act amended and additional work authorized, Mill Street Bridge and Lay-out of Exchange Place. See page 272.
1899, Feb. 21.	634	To borrow money for Evening Schools. See page 269.
1899, March 3.	621	Compensation for collection of Statistics of Births.
1899, March 3.	635	To hire money for Highway purposes. Charles Street. See page 268.
1899, March 3.	636	Shelters may be constructed from Buildings over Sidewalks. See page 121.
1899, May 3.	688	School Bonds. Amends Chap. 364 of April 24, 1896, and Chap. 510 of May 27, 1897.
1899, May 10.	660	Appropriations for Public Celebrations and for Band Concerts. See page 24.
1899, May 18.	662	Political Committees and Caucuses. See page 148.
1899, May 23.	666	Abandonment of Highways. See page 258.
1899, May 23.	687	Johnston Annexation.
1899, May 25.	690	To refund Johnston Debt assumed by the City. See page 272.
1899, May 26.	689	To hire money for Improvement of the Harbor. See pages 224, 272.
1900, Feb. 9.	726	Brown & Sharpe Mfg. Co. to build Bridges over Streets with consent of City Council.
1900, April 12.	764	To refund portion of Water Loan. See page 267.
1900, April 20.	737	Amends Chap. 580, Union Railroad Franchises. See page 202.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1900, May 3.	744	An Act permitting cities or towns to use Voting Machines at Elections. Repealed by Chap. 859 of March 29, 1901. See page 172.
1900, May 3.	765	Revised Ordinances exempted from Publication. Obsolete.
1900, June 13.	794	Secretary of State to Purchase Voting Machines, when. Superseded by Chap. 859 of March 29, 1901. See page 164.
1900, June 13.	798	Commission to re-adjust Ward Lines. See page 135. For Report of Commission see page 138.
1900, June 13.	799	To hire money for building a Central Fire Station and other purposes. See page 272.
1900, June 13.	800	To hire \$200,000 for Street from South Water Street to Prospect Street. See pages 263, 268.
1900, June 13.	801	To hire \$40,000 for a Police Station and Stable. See page 272.
1901, Feb. 13.	870	Receipts from Sewer Assessments. See page 25.
1901, March 8.	871	Junk Dealers' License Act. See page 51.
1901, March 12.	872	Obsolete Acts concerning the City of Providence repealed.
1901, March 13.	873	Harbor Line from Bower Street to Red Bridge.
1901, March 14.	874	Authorizing Brown University to build conduit under Prospect street.
1901, March 19.	909	Exempting posting of voting lists. Obsolete.
1901, March 28.	846	Peddlers' License Act. See page 49.
1901, March 29.	859	Voting Machine Act. See page 162.
1901, March 29.	867	Caucus Act Amended. See page 148.

ACT OF.	CHAP- TER.	SUBJECT MATTER, AND DISPOSITION.
1901, March 29.	875	Amending Chap. 425 of 1896, and authorizing purchase of land for Blackstone Park. See pages 270, 279.
1901, March 29.	876	To hire \$150,000 for highway purposes. See pages 264, 268.

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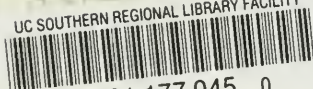






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